The Vestiges of Creation

STATEMENT

plan of Salvation

AND

CORRESPONDENCE

The City of Divine Service

OF THE

Pictou Presbytery, P. C. L. P.

RESPECTING THE

ANTIGONISH RIOT.

PICTOU, N. S.
PRINTED BY WILLIAM HARRIS.
1874.

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STATEMENT AND CORRESPONDENCE

RESPECTING THE

ANTIGONISH RIOT.

At the meeting of the Synod of the Presbyterian Church of the Lower Provinces, held in Truro, in June 1873, while the subject of the Mission to the French Roman Catholics was under consideration, the Rev. Charles Chiniquy of Kankakee, who was present, was invited to address the Synod. He did so, and in the course of his remarks, spoke at length on the general subject of Romanism, and also of his work recently and in the past. At the close of his address he received the thanks of the Synod, and was authorized to visit any of the congregations of the Church, with whose pastors he might make arrangements, and to receive one half of the collections which might be taken up at any of his meetings; the other half to be applied for the benefit of the Synod's mission, especially to the payment for the Church which is being erected at Grand Falls.

Under this arrangement, Mr. Chiniquy visited a large number of the Congregations connected with the Presbyteries of Pictou and P. E. Island. Among the rest he paid a visit to the Presbyterian Congregation of Antigonish. On the evening of the 10th of July, 1873, he addressed a large audience in the Presbyterian Church of that town. On the previous Sabbath the pastor of the congregation had announced that Mr. Chiniquy would speak on the specified evening on the Kankakee and Acadian Missions. In the course of his address, he gave an account of his life, opinions and mission work. His audience was mixed, at first mostly Protestant, but afterwards, to the extent of nearly one-third, Roman Catholic. Soon after he began his lecture, he was rudely and frequently interrupted. Excited Roman Catholics began to shout, and create disorder in a variety of ways. They loudly and repeatedly accused the speaker of falsehood. They endeavoured

to break up the meeting. In order to accomplish their purpose, they rang the bells of the church and adjoining school house, and raised the cry of fire. Their efforts to disturb the meeting, and to put down the speaker, continued till its close; and after it was over they violently assaulted Messrs. Chiniquy and Goodfellow as they left the church, so that they were compelled to take refuge by the way to the manse in order to save their lives. The house into which they fled was besieged for hours. Stones were thrown into it, and fierce threats were made by the infuriated mob, that they would break in and drag out the objects of their displeasure. Providentially they were prevented from doing so. Some time before daylight, the crowd had scattered sufficiently to allow Mr. Goodfellow to reach his home, and in the morning Mr. Chiniquy, though really unfit for the journey, returned by coach to New Glasgow.

Next night the mob re-assembled in force, and after marching through the streets of the town with demonstrations of joy, carrying the effigies of Messrs. Chiniquy and Goodfellow, they publicly burnt them at the door of the Presbyterian Church.

Intelligence of the riot soon spread throughout the country and awakened intense indignation among Protestants. The Presbytery of Pictou, of which Rev. Mr. Goodfellew is a member, and to which the congregation of Antigonish belongs, met on the 5th of August, and carefully considered the whole situation. After full deliberation, and considerable discussion, they agreed unanimously to the adoption of the following minute:

"It having appeared that while the Rev. C. Chiniquy was lecturing in the Presbyterian Church at Antigonish, the meeting was disturbed in various ways by Roman Catholics, who finally took possession of the building, and that on the Rev'ds Charles Chiniquy and Peter Goodfellow retiring from the Church, a brutal and murderous attack was made upon them, by which they were both seriously injured, the Presbytery express their deep sympathy with these brethren, under the unprovoked attack made upon them, and their indignation at this gross outrage upon the rights of our ministers and people. The Presbytery feel it their duty to use all means in their power to protect them from all molestation in the exercise of their rights, and appoint a committee to employ such means, by memorial to Government, or otherwise, as they may deem best fitted to secure that end.

The members of the committee are Revs. E. A. McCurdy, Dr. Bayne, John McKinnon, J. F. Forbes, and D. B. Blair. Mr. McCurdy to be Convener.

The Committee were directed to seek the co-operation of brethren of other Protestant denominations, and report to the next meeting of Presbytery."

JOHN MCKINNON,
Clerk.

At the same time the Presbytery agreed to hold their next meeting in the town of Antigonish, on the 27th of the same month, for the purpose of manifesting their sympathy with the congregation, and of deciding upon what further steps should be taken in the matter.

The Committee appointed in terms of the foregoing minute were fully alive to the difficulty, and delicacy of the task which had been imposed upon them. Accordingly they determined to exercise the utmost caution. In consequence of the conflicting statements which had been made as to the character of the Riot, and respecting the parties implicated in it, they felt it to be their first, and most imperative duty to ascertain as accurately as possible the facts of the case, and to furnish the public with a statement the truth of which could not be successfully assailed. Accordingly they appointed a Sub-Committee to visit Antigonish for that purpose. After receiving their report the Committee prepared and issued the following paper:

The Rev. Charles Chiniquy in accordance with the resolution of Synod authorizing him to visit as many of the congregations of the Presbyterian Church of the Lower Provinces as he could overtake, visited the congregation of Antigonish on the 10th of July, and lectured in the Church in the evening. His audience consisted of Roman Catholics, and members of the congregation. For a little while the Meeting was orderly, but after Mr. Chiniquy had spoken for some time, a number of the Roman Catholics went out of the Church, but soon returned accompanied by others, and continued going out and coming in, always in larger numbers, until the close of the services. During the evening an excited crowd filled the space in front of the church, the lobby, and doorway, and ultimately took forcible possession of the building. They interrupted the speaker by continual noise, frequently shouting "you lie, you lie," and by raising the alarm of fire, and ringing the Church and school-house bells, in which way they attempted wholly to break up the meeting. The violence of the crowd was such that the door of the Church was wrenched from its hinges, and the iron bar from the gate. The meeting however continued until after 10 o'clock, P. M. The audience was then dismissed, but Messrs. Chiniquy and Goodfellow, with a few others, remained in the Church nearly half an hour longer, waiting for the crowd to disperse. But instead of doing so they still continued to press into the porch and about the entrance. Mr. Goodfellow being informed that they intended violence, went out and urged them to separate. They refused to do so. On Messrs. Chiniquy, Goodfellow, and those with them leaving the church soon after, they were met by a crowd of some two or three hundred persons, consisting chiefly, not of "boys," but of men, young and old, among whom were seen even some magistrates and lawyers. They had not proceeded many steps when the mob assailed them, at first with eggs and gravel, and afterwards with stones. It being moonlight, and Messrs. Chiniquy and Goodfellow easily distinguished, the stones were aimed at them. Both of them were struck five or six times. Mr. Goodfellow received a severe blow on the head which nearly knocked him down, injuring him seriously, and incapacitating him for his pastoral duties for about a week. Mr. Chiniquy was also struck between the shoulders with a heavy stone which stunned him

for a little. Mr. Burnside, elder, while trying to protect them was knocked down on the street. Mrs. Smith, the wife of a Colporteur, had her ankle severely hurt by a blow from a stone. They were thus pursued until they were forced to take refuge in Mr. Alexander Cameron's house, having found it impossible in consequence of the threatened danger to their lives to proceed any further towards the manse. So great was the fury of the mob, that they threw stones at Messrs. Chiniquy and Goodfellow, as they were entering the house, and also at the windows by which some panes of glass were broken. The mob continued to surround and besiege the house until after one o'clock in the morning, and during the whole of that time, they continued to make use of the most threatening and violent language.

It is the opinion of those who are best informed that had they not taken refuge as they did Mr. Chiniquy would never have reached the manse alive, as other crowds having all the appearance of murderous intentions were waiting for his appearance at different points on the way.

It is only necessary to add that the session of the congregation of Antigonish at their meeting on the 11th of August declared that the statement of facts as given in the *Morning Chronicle* by the Rev. P. Goodfellow is correct.

By order of Committee.

E. A. McCURDY, *Convener.*

New Glasgow, Aug. 13th, 1873.

This statement they ordered to be sent to the papers for publication, to all the Presbyteries of the Presbyterian Church of the L. Provinces, and of the Presbyterian Church of the Maritime Provinces, as well as to the representative bodies of the Wesleyans and Baptists, with the request that they should take such action in the premises as the circumstances seemed to them to demand.

From the character of the evidence which they had gathered, they saw clearly that the disturbance was of too serious a character to be successfully dealt with, either by the parties assailed, or by any private prosecutors on their behalf, and accordingly they were unanimous in thinking that it imperatively called for the direct interference of the Government. The grounds upon which this conviction rested were, the large number of those who participated in the riot, and the fact that even some of the officials of the Government were implicated in the disturbance. Accordingly, besides appealing to those who might be supposed to sympathize with them for the purpose of securing their moral influence, they also instructed their Convener to lay the matter before the Local Government of the Province, and to request them to take such measures as might be necessary to secure the conviction of the rioters, and the vindication or condemnation and punishment, of their own commissioned servants, who were accused of complicity in the riot. The following is a copy of his letter to the Attorney General:

NEW GLASGOW, Aug. 16th, 1873.

SIR:—I am directed by the Committee of the Presbytery of Pictou in connection with the Presbyterian Church of the Lower Provinces, appointed in terms of the accompanying minute, to enclose to you a copy of the minute containing their appointment and instructions.

I am also instructed to send you the enclosed statement of facts connected with the riot at Antigonish, which has been prepared by the Committee, some of whose members visited that place for the purpose of securing reliable information, respecting the character of the disturbance, and to ask if you will do them the favor of laying the same before the Government of this Province, at your earliest convenience.

I am instructed further, to inform you that though some of the Magistrates of Antigonish are known to have been in the crowd at the time of the Riot, on the evening of the 10th July, so far as the Committee can ascertain, they made no effort to quell the disturbance. On the contrary, it is believed, that at least two of them, Archibald McGilvray, Esq. and a Mr. McLellan, can be proved to have acted in such a way, and to have made use of such language, during the progress of the riot, as would justify the charge that they were giving their countenance to those who were so lawlessly, and with such extreme violence disturbing the peace of the community.

I am directed to state still further, that though some of the ringleaders in the riot are well known; that although the man who struck Rev. Mr. Goodfellow such a severe blow can be identified; so far as has yet appeared, no steps have been taken either by Magistrates or others, to bring them to justice.

Under these circumstances, the Committee feel constrained to appeal to the Government, and to you as Attorney General for the Province, to take such measures, as in your judgment, you may think best fitted to bring the rioters to justice, to prevent the repetition of such outrages in the future, and so to conserve the civil and religious rights of our ministers and people.

They would respectfully submit also, whether it might not promote the ends of good government, to have an investigation of the charge against the above mentioned Magistrates, Messrs. McGilvray and McLellan, so that if guilty, they may be dealt with in such a way as will effectually deter officials of government, from giving any countenance whatever to disturbers of the public peace.

Requesting the favor of an early reply, as the Committee are instructed to report to the next meeting of the Presbytery, which is to be held on the 27th August.

I have the honor to subscribe myself,

Your obedient servant,

E. A. McCURDY,

Con. of Committee.

HON. H. W. SMITH, M. P. P.

Attorney General.

To this letter they immediately received the following reply:

ATTORNEY GENERAL'S OFFICE,
Halifax, August 19th, 1873.

REV. E. A. McCURDY,
New Glasgow.

SIR:—I beg to acknowledge the receipt of your communication of the 16th instant, accompanying a copy of the minute of the Presbytery of Pictou.

I have already been waited upon by a Committee of the Presbyterian body here on the subject to which your letter refers, and I pointed out to them that the Dominion Statutes clearly provide a punishment for any person, or body of people, who may assault gentlemen under the circumstances to which you allude.

I should be sorry to suppose that such a state of things exists at Antigonish, that if the Rev. Mr. Goodfellow, or any person on his behalf, should apply to some Justice of the Peace, and furnish information against those who as ringleaders "are well known," and against the individual who you state "can be identified," the law will not be efficiently evoked, and as promptly executed in this, as in any any other case of transgression.

I shall be most happy to direct you as to the mode of procedure to be adopted in this, as in every other instance, of a violation of the criminal law; but it does occur to me that some steps should appear to have been taken by the complainants themselves, by which the machinery of the law provided for such cases, could be put in motion. Large powers are now conferred upon Magistrates in criminal matters; but should the gentlemen assaulted prefer not to invoke Magisterial aid, the Supreme Court will soon be held at Antigonish, when the Grand Jury can be applied to, who, doubtless, would upon proof of the facts detailed by the Committee of Pictou Presbytery, prefer a bill of Indictment against the offenders, when some prosecuting officer would be found to conduct the proceedings. Should it occur, by any possibility, which I cannot apprehend, that the *usual* methods of bringing criminals to justice, are closed against Mr. Goodfellow and Mr. Chiniquy, I am quite sure the Government will lend any assistance, within their legitimate functions, to maintain the rights of the public, and to suppress any violation of law.

The other references in your communication, touching the conduct of the Magistrates, I will lay before the Government, at the earliest possible meeting.

I have the honor to be, Sir,
Your most obedient servant,
HENRY W. SMITH.

The Committee further directed their Convener to direct the attention of the Local authorities of the County of Antigonish to the Riot, with the request that they would take such action as the circumstances of the case demanded. Accordingly the accompanying letter was sent to the Custos of the county:

NEW GLASGOW, August 16th, 1873.

SIR:—At a meeting of the Presbytery of Pictou, in connection with the Presbyterian Church of the Lower Provinces, held in this place

on the 5th instant, after a long and careful consideration of the recent disturbance in Antigonish, the Presbytery unanimously agreed to use all the means in their power to protect their ministers and people from all molestation in the exercise of their rights, and to appoint a Committee to take such measures, by memorial to the Government, or otherwise, as they may deem best fitted to secure that end.

That Committee of which I have the honor to be Convener, has met, and in connection with other steps, which they have already taken, or propose yet to take, they have thought it only respectful to the local authorities of the County of Antigonish, to lay the matter formally before them, and to inquire if any steps were taken by the magistrates at the time to suppress the riot, or since the disturbance to bring the guilty to justice.

I am authorised further to express to you the regret of the Committee, that so far as they have been able to ascertain, although some of the ring-leaders in the riot are well known, having thrown their missiles, uttered their threats, and surrounded the house into which Messrs. Chiniquy and Goodfellow were compelled to take refuge, under the eyes of some of the Magistrates themselves, as well as in the sight of other witnesses; and although the man who struck Mr. Goodfellow such a severe blow can be identified, (and the Committee are prepared with the evidence which will identify him,) no measures have yet been taken to vindicate the claims of law and justice. Under these circumstances, they feel constrained to appeal to you, as the official head of the Magistrates of the County to take such measures as you and they may think best fitted to vindicate the majesty of the law, meet the claims of justice, and prevent a repetition of such lawless conduct in the future.

In preferring this request, they may be allowed to express the hope that you will find the task of discovering and punishing the offenders all the easier from the alleged fact that the Bishops, Priests, and other influential Catholics, almost vie with Protestants, in the frequency and fervour of their denounciations of the outrage.

Requesting a reply at your earliest convenience as the Committee are instructed to report to the next meeting of Presbytery, which is to be held at Antigonish, on the 27th instant.

I remain,

Yours truly,

E. A. McCURDY, *Convener of Committee.*

JOHN McDONALD, Esq., *Custos*, Antigonish.

About three weeks afterwards they received the following reply.

NORTH GRANT, September 4th, 1873.

REV. SIR:—I am in receipt of your letter of the 16th August, and must say that I feel extremely sorry, that I was not in a position to answer it in due time. Although I am a stranger to you, I am of opinion that you will find in New Glasgow, men, who will vouch for my sincerity, in endeavouring to oblige any person, much more, a person of your standing; do not for a moment, harbour the idea that my delay was through disrespect. You will find that I followed the trade of spar-making, and it so happened that I was from home at the time your letter came, that is my apology for the delay of answer

With regard to the information you have supplied me with, I am sorry to say, that (from heresay) I knew more about it than I wished to know. I have consulted Protestants with regard to calling the Magistrates, for the purpose of adopting measures to prevent a future act of the same sort, they prevented me, saying the feeling had cooled down, and as it was the first of the sort ever happened here, and perhaps would be the last.

Permit me to say, that perhaps I misinterpret your words, which says, that the parties guilty can be proved. I would infer that you would wish legal proceedings would be taken against them; if so you must give their names in legal form.

I am happy to see that you believe the Catholic clergy has condemned the act of the riot, as it is termed. The Catholic Press of Canada has done so.

In conclusion, I will say, that I feel grateful to your Presbytery for placing confidence in me in the above affair, and I would further say, that in a Christian point of view, the whole matter should be erased from memory.

I remain, Rev'd Sir,
Your obedient servant,
JOHN McDONALD.

To REV. E. A. McCURDY,
New Glasgow.

The answer of the Attorney General to the memorial to the Government, reached the Committee in time to be reported to the meeting of Presbytery held in Antigonish. As his letter indicated his determination to treat the case as one of common assault rather them as a Public Riot, and to throw the burden of further proceedings on "Rev. Mr. Goodfellow," or some "person on his behalf," the Presbytery had to consider what additional steps, if any, should be taken. Accordingly they invited the congregation to be present with them at their meeting for further deliberation, and requested a conference with the session on the subject. At that conference the opinion was freely expressed on the part of the members of the session, that the rioters should be prosecuted if possible to conviction. As one of them remarked, "A failure to do so would be to put a premium upon the repetition of such conduct in future." The Presbyterians of Antigonish, however, felt that they were not in a position to institute, and to carry to a successful issue legal proceedings against the rioters. They were but a small minority in the community. They had already been grossly insulted in their own church, and violently assailed on their way from it, by a mob consisting of some two or three hundred people. They were fully persuaded that the task of discovering and convicting the rioters, was one which required the exercise of the authority and power of the Government, and could not be so successfully accomplished by any other person or persons. Besides, in view of the nature of the disturbance, the standing in the community of some who had appeared as

apologists for the rioters, the probable complexion of the Jury, and the fact that absolute unanimity was required in criminal causes, they had little hope of being able to secure a conviction. They were however of opinion that as the Attorney General had declined to take any action, if a prosecution could be instituted by parties outside, and beyond their local influences, it might do some good. With these views and feelings the Presbytery could not but symphathize. They saw clearly the delicate and trying position of their congregation in Antigonish. They knew that as compared with their Roman Catholic neighbours the Protestants of Antigonish were numerically weak. They had no evidence, and they could not discover any, that even the spiritual guides of those who had been guilty of the outrage had taken any adequate measures to impress the disturbers of the peace, with a due regard for the law, and for the rights of their Protestant neighbours. They had indeed heard of its being publicly condemned by some of the local spiritual authorities a few weeks afterwards, but they could not ascertain that even then, any ecclesiastical penalties whatever had been imposed upon the criminals. On the other hand they knew that one of the priests of the county, at the very time that he was publicly professedly condemning "every species of persecution" had quoted with approval the remark that there were in Antigonish, "Catholics enough to eat the Protestants as a raw oyster." They had not forgotten that in the very first account of the outrage given to the world from a Catholic stand point, the same priest had denounced Rev. Mr. Chiniquy, who is a minister in good standing in the Canada Presbyterian Church, and whose visit to the Presbyterian Congregations in the Lower Provinces had been authoritatively sanctioned by the Synod, as a "thorough going fraud," "a preacher of all uncharitableness," "a greedy hound," and "a contemptible money-grabber." They remembered too that he had ventured to publish to the world over his own signature, in a professedly Protestant newspaper, "I dare to say that I do not feel any very deep regret for the treatment accorded to Pere Chiniquy," and that in the same article he had lacenically described the outrage in these insulting terms: "This time the Catholics spat upon him and drove him away." They could not ignore the facts that violence had already been attempted upon some persons who had tried to protect Messers Chiniquy and Goodfellow on the evening of the riot; that it had been threatened against others, who were supposed to be able to testify against the criminals; and that the inability or unwillingness of the Magistrates to suppress the disturbance, as well as their indisposition to take any steps to prevent a recurrence of such conduct had already been demonstrated. Now although the Presbytery had no reason to think that either Mr. Goodfellow, or the greater number of his people would decline to do

their duty, from any dread of consequences, if it were absolutely necessary in the interests of justice that they should occupy the position of prosecutors, yet they believed that if they as a Presbytery could do any thing to relieve them of the odium and burden of a prosecution, in a case where the rights of every citizen as well as of these more immediately concerned were assailed, they ought to do it. Consequently though their opinion as to the duty of the Government remained unchanged, they thought that under the circumstances it might serve a useful purpose to follow the advice of the Attorney General as he had indicated that "Rev. Mr. Goodfellow *or any person on his behalf*" might institute a process against the rioters. Accordingly the Presbytery remitted the whole matter to the Committee, giving them authority to institute a process if they should see their way clear to do so.

Though not essential to the narrative, yet in order that the public may have all the correspondence which has passed between the Committee and the Government, it may not be amiss to notice that at this stage the convener in response to a request of the Attorney General for a copy of his first communication sent him the following note:

NEW GLASGOW, AUG. 29th 1873.

SIR:—Inclosed I send you an accurate copy of your letter to me of the 19th inst. A word of explanation will shew you why your request was not attended to sooner. At the time that your letter reached New Glasgow, and for some days afterwards I was from home and returned only in time to press forward to the meeting of the Presbytery, on the 27th inst. I reached home again late last evening and have availed myself of the earliest opportunity to copy your letter.

In reference to the subject of our correspondence I may state that by order of the Committee, I addressed a note to the Custos of the county of Antigonish at the same time that I wrote to you, inclosing a copy of the printed statement, informing him of the fact that the Committee were prepared with the proof, which would identify the man who struck Mr. Goodfellow, and requesting him in concert with the other magistrates to bring him and others to justice. To that communication I have as yet received no reply. In my former letter I was unable to give you more than the surname of one of the accused magistrates. I have since learned that his full name is HUGH McLELLAN.

Hoping that the Government may be disposed to order an investigation into the conduct of the Magistrates.

I remain
Sir,
Your obedient Servant,
D. A. McCURDY.

HON. H. W. SMITH,
Attorney General,
HALIFAX.

To this note he received the accompanying reply.

ATTORNEY GENERAL'S OFFICE.
Halifax, Sept. 3rd, 1873.

REV. E. A. MCCURDY,
New Glasgow.

SIR:—Yours of the 29th ult. is before me, and you will please accept my thanks for the copy of my letter.

I observe what you state in reference to the course pursued by the Committee, mentioned in your previous communication, in addressing themselves to the Custos of the County of Antigonish, on the subject of the riot and assault complained of.

As I have already expressed my readiness to direct the proper procedure to be adopted, in this, as in all other cases of alleged violation of criminal law in this Province, I may state that there is one necessary and preliminary step to be taken before a Magistrate can issue, legally, a warrant to apprehend any person on a charge of crime—viz: An information under oath made by the party complaining.

I am
Your obedient servant,
HENRY W. SMITH.

As the Attorney General in his first communication had suggested that proceedings might be instituted, either before the Magistrates, or directly before the Grand Jury, in view of the evident reluctance of the Custos of the County to learn anything more about the disturbance than he could possibly help, as well as his strong desire to forget even that as soon as possible; in view of the apparent indisposition on the part of the whole body of the Magistrates to take any steps whatever looking towards the discovery, trial, and punishment of the offenders; and especially in view of the alleged complicity of some of them in the outrage, as well as from a regard to the serious nature of the case, they at once determined to adopt the latter alternative. Accordingly the Committee submitted the evidence already under their hand to a Queen's Counsel whom they wished to retain, and asked his advice. His opinion was decided that the case was clear, and that under ordinary circumstances, the evidence was amply sufficient; but looking at the peculiarities of the situation, he expressed himself as hopeless of securing a conviction. He advised however that "depositions should be taken before a Justice of the Peace leading to indictments, first against the parties guilty of injuries to person and property;" and secondly "against the parties engaged in burning the effigies, and that these depositions be submitted to the presiding Judge," who he thought would submit them to the Grand Jury, accompanied by a charge which would reach and influence not only the Jury, but also through them all the people of the county. The Committee believing that the charge of the Judge itself would serve a most useful purpose, even if they

should fail to induce the Grand Jury to find a bill of Indictment, or the Petit Jury a verdict of guilty, determined to follow his advice. Accordingly they employed an Attorney, and sent him to Antigonish with instructions to secure as much evidence as he could in the line already indicated. Upon his return he furnished them with a number of depositions, some of which will be found in the subsequent narrative.

A short time before the session of the Court, the Committee began to fear that the depositions not having been taken in the way of preliminary examination before a Magistrate, might possibly be ignored by the Judge, and wishing to be prepared for that alternative, they employed the Attorney who had taken the depositions to attend the court as their agent, with instructions to institute a process before the Grand Jury, and to bring forward Mr. Goodfellow and others as witnesses. Owing to the absence of the counsel at first consulted, they also retained another to be associated with him in conducting the case to the point of finding a Bill of Indictment, and to be present to carry it through on behalf of the crown, if called upon by the Attorney General or his agent to do so.

On their arrival at Antigonish, they discovered that the only way by which the cause could be brought to trial was for Mr. Goodfellow or some other aggrieved party to institute the process by laying an information on oath before the Jury. Mr. Goodfellow expressed his willingness to lodge such a complaint, if the agent of the Presbytery, on behalf of the Presbytery, should so advise, but as the Attorney did not see his way clear to do so, he (Mr. Goodfellow) declined under the circumstances to assume the responsibility.

The Presbytery having in this way been baffled in their effort to secure a prosecution, had to determine what further steps should be taken. Reviewing the situation, they concluded that it would not be advisable for them to make any further attempt to take legal proceedings against the rioters. From the outset they were convinced that an effective prosecution could not be carried through by private parties. The difficulties which beset their efforts, when making the attempt, only intensified their conviction. Accordingly they felt themselves shut up to appeal anew to the Government, "to claim once more a thorough, searching enquiry, on the ground of public right and order, that the guilty might be punished, liberty of assemblage and worship vindicated, the repetition of such scenes prevented, and the character of the Government for integrity and impartiality maintained; assured that only by such action, prompt and decided, will the Protestant sentiment of the country be satisfied." They were the more powerfully constrained to pursue this course, because so far as they could learn, the Government had taken no steps whatever, to investigate even the charges, which had been preferred against some of the

Magistrates, nearly three months before. Accordingly at a meeting held at Westville, on the 7th November, the following minute was unanimously adopted:

"That the Committee having already called the attention of the Government to the subject, they be further instructed to place in the hands of the Attorney General the affidavits or copies of them, with a strong expression of opinion that the interests of public order require, on the part of the Government, an investigation into the circumstances of the case, and especially the conduct of the public officials implicated."

In accordance with their instructions, the Committee at once transmitted most of the depositions, accompanied by the following communication:

NEW GLASGOW, NOV. 11th 1873.

SIR:—The Presbytery of Pictou at a meeting held at Westville, on the 4th inst., adopted the accompanying minute, which I am instructed by the Committee of that body appointed a few months ago in consequence of the Antigonish Riot, to forward through you to the Government of this Province. In again approaching the Government in reference to this matter, after the correspondence which has already passed, the Committee believe that it is due both to the Government and to themselves, to confirm the facts contained in their former statement by the accompanying evidence, and to indicate as briefly as possible the steps which have been take since their first communication.

The promptitude of your reply to their letter of the 16th of August, enabled them to report their proceedings to the meeting of Presbytery held in Antigonish on the 27th of the same month. Your note made them aware, that you felt disposed to treat the case as one of common assault, rather than as a public riot, and to throw the burden of further proceedings upon private parties, instead of assuming it on behalf of the Government. Knowing the extent and character of the disturbance, considering the standing in the community of many who were implicated in the outrage, the almost utter want of effort on the part of the local authorities to suppress the riot, and the official position of some who lent their countenance to the rioters; and perceiving clearly the consequent difficulties in the way of a prosecution of the criminals, the Presbytery were firmly persuaded that the Government of the country and the Government alone, could bring into the field sufficient authority and power to vindicate the rights which had been assailed, and to bring the case to an issue in harmony with the interests of public order, and good government. But while fully impressed with this conviction, they thought however that in deference to your opinion, they should consider whether or not something might not be done in the line which you had indicated. Accordingly, they invited the congregation of Antigonish to be present with them at their meeting for the further consideration of the case, and requested a conference with the session of the congregation on the subject. At that conference, the opinion was freely expressed on the part of the members of the session that the rioters should be prosecuted, if possible to conviction. They were unanimous, however, in affirming that neither their pastor nor themselves were in a position to institute proceedings. They were

prepared in case the Government should call upon them to give their evidence in the course of an investigation, either directly or through the court to do so, but they felt that under the circumstances they could not undertake the prosecution. At the same time, they were of opinion that even if the Government should decline to institute an investigation, if it were possible for some person or persons beyond their local influences to commence a prosecution, such a course might serve a useful purpose.

A calm review of the situation, convinced the Presbytery of the truth and propriety of the statement and position of their friends and people in Antigonish. The numerical weakness of those who had been assailed, the violence of the assault which had already been committed upon them, the disposition manifested by their assailants, and those who sympathized with them to persist in their lawless acts, as evinced by the burning of the effigies of Messrs. Goodfellow and Chiniquy in front of the Presbyterian Church on the evening after the riot with demonstrations of joy, by the throwing of stones or some other missiles at Mr. Goodfellow on the following Sabbath on his way from church, and at one of his friends on the next Monday night, as well as the other insults to which for a time Mr. Goodfellow was subjected; the violence which had been attempted against some who had endeavoured to protect him and Mr. Chiniquy on the evening of the riot, and threatened against others who were supposed to be able to testify against the criminals, all conspired to lead the Presbytery to justify Rev. Mr. Goodfellow and his congregation in the resolution to which they seemed to have come,—not to institute a prosecution themselves. Nor could the Presbytery differ from the session, as to the desirability of convicting and punishing the rioters, if it were possible to do so. But the difficulty before them was to find a prosecutor. As your letter, however, had incidentally indicated that "Rev. Mr. Goodfellow or *any person on his behalf*" might "apply to some Justice of the Peace and furnish information" which would set the Machinery of the Law in motion, and as you had distinctly placed before them the alternative of instituting proceedings before Magistrates or directly before the Grand Jury, they thought that perhaps the Committee in the name of the Presbytery might institute the proceedings on behalf of Mr. Goodfellow, and carry the cause forward to the finding of a Bill of Indictment. Accordingly in view of the gravity of the crime which had been committed, and the alleged complicity of some of the Magistrates in the Riot, the Presbytery at once determined that if any steps were taken they should be taken before the Supreme Court.

In consequence of this decision the Committee took the evidence which was already under their hand, submitted it to a Queen's Counsel whom they intended to retain, and asked his opinion. He examined the evidence, regarded it as satisfactory, and assured them that in ordinary circumstances it would be quite sufficient to secure a conviction. Looking at the peculiarity of the situation however, he expressed himself as hopeless of being able to obtain a verdict against the criminals. He advised however that "depositions be taken before a Justice of the Peace leading to Indictments: First, against the parties guilty of injuries to person and property; and secondly against the parties engaged in burning the effigies; and that these depositions be submitted to the presiding Judge, who will there upon at the opening of the Court exercise in relation to them a very important function of his office, in submitting the depositions to the Grand Jury for their consideration." He informed them further that the "Presiding Judge

as the principal conservator of the Peace for the time being" would "then address the Grand Jury" upon the subject matter of the affidavits.

The Committee believing that the charge of the Judge, if it could be obtained in this way, would exercise a most beneficial influence, even if they should fail in inducing the Grand Jury to find a Bill of Indictment, or the Petit Jury a verdict of guilty, and anxious also to ascertain as nearly as possible the character and value of the evidence upon which they could depend in case of prosecution, determined to follow his advice. Consequently they employed an Attorney and sent him to Antigonish, with instructions to secure evidence in the line already indicated. Upon his return he furnished them with a number of depositions from which the Committee have selected those which they herewith forward to the Government.

As the cry for Justice from the different parts of the Province had by this time been frequently and loudly repeated, and as information respecting the extent and character of the outrage had grown upon their hands, the conviction of the Committee and Presbytery as to the absolute necessity of a process a law, became more and more decided, and accordingly they determined to press the prosecution as far as possible.

A few days before the session of the Supreme Court in Antigonish, the Committee began to fear what had not occurred to them at the outset, that the depositions not having been taken under the statute might possibly be ignored by the Judge, and wishing to be prepared for that emergency they employed the Attorney who had secured the affidavits to go to Antigonish as their agent, and if possible to institute the process before the Grand Jury by laying an information, and bringing forward the witnesses to sustain the charge. As the Counsel whom they had at first consulted was unable to be present, they retained another to be associated with the Attorney in conducting the case to the finding or rejecting of the Bill of Indictment.

It seems that upon their arrival at Antigonish, it became apparent to them that if the case were to proceed at all, Mr. Goodfellow or some other aggrieved party must himself institute the process, by laying an information on oath before the Jury. Mr. Goodfellow expressed his willingness to lodge the complaint, if the Agent of the Presbytery, on behalf of the Presbytery, should advise him to do so, but as the Attorney was of opinion that his instructions would not justify him in giving such advice, he (Mr. Goodfellow) declined under the circumstances to accept the responsibility.

This statement of facts, will make it manifest that an honest, earnest effort has been made to secure a trial in a court of Law, in the way which seemed to the Presbytery best fitted to gain their object, and as they thought in the direct line of the advice which you had been kind enough to give. That effort having failed they believe that it is impossible for them now to do any thing furth r directly in the way of prosecuting the rioters. Their opinion however is unchanged, that it is the duty of the Government to move in the matter, and hence they would once more respectfully approach them with the urgent request to take such action in the case as may be demanded, by the gravity of the offence which has been committed. Having submitted evidence of the character which is herewith transmitted, and much more of the same kind could easily be obtained, they are unwilling to believe, until they are compelled to do so, that the Government will decline to institute an investigation; and they have thought it both more respectful to the Government, and more honourable to themselves, once more to lay

their case somewhat fully before you, than to publish it to the world without exhausting every means within their reach of having it satisfactorily disposed of under the auspices of the Government.

It is scarcely necessary to add that any assistance which the Committee can give, in the way of supplying further information in their possession, should the Government take up the case, will be gladly rendered.

Perhaps it may not be amiss, to direct attention to the fact, that the impunity which the rioters have so far enjoyed, is producing its legitimate fruits in the community. Only a few weeks ago, the windows of the house in which Messrs. Chiniquy and Goodfellow took refuge on the night of the Riot, were rudely broken by a crowd of men in open day, and the residence of a Protestant lady, who has ventured to express herself somewhat freely in reference to the conduct of the rioters, has been frequently assailed and her windows have more than once been broken, the last time only a few days ago.

In conclusion, the Committee would direct the attention of the Government to the fact, that the name of Angus McIsaac, J. P. as well as those of Messrs. McGilvray and McLellan, is mentioned in some of the affidavits, in a connection which seems to them to call for investigation.

As the next meeting of Presbytery is to be held on the 15th of December, the Committee will be happy to be able if possible to report the decision of the Government [illegible] that occasion.

Hoping therefore to be fav[illegible]d with a reply at your earliest convenience, and thanking you f[illegible]ur courtesy in the past.

I remain,

Your respectfully,

E. A. McCURDY, *Con. of Com.*

HON. H. W. SMITH,
Attorney General,
HALIFAX.

The following depositions were inclosed with this letter.

I, Peter Goodfellow, of Antigonish, in the County of Antigonish, Pastor of the Presbyterian Congregation in the said town of Antigonish, make oath, and say as follows:

1. That the Rev. Charles Chiniquy having been sent under the direction of the Synod of the Presbyterian Church of the Lower Provinces, lectured in the Presbyterian Church of Antigonish, aforesaid, on the evening of the 10th of July, 1873, at or about half-past 7 o'clock: the subject having been announced on the Sabbath previous, as "The Kankakee and Acadian Missions."

2. That the Church was well filled, at first principally with Protestants, but that during the course of the Lecture, Roman Catholic men and women came in until they constituted about one-third the Congregation within the body of the Church, while others of their co-religionists filled up the entry, and crowded in front of the Church.

3. That order was observed during the introductory devotional services conducted by myself, and until Mr. Chiniquy had spoken for a short time, but that he had not proceeded far in his lecture, when unseemly noises began to be made, several of the audience arose and left the Church, only to return with their numbers increased, and this

going and coming continued during the whole course of the lecture. That the Church bell was rung two or three times during the lecture, and likewise the bell of the school-house adjacent to the Church, and that on the first sound of the bell, a number of young men ran out of the Church shouting "Fire, Fire," with the design I believe of breaking up the meeting. That they returned and continued their noise inside the Church, which noise, added to the whistling and shouting outside, rendered it difficult for Mr. Chiniquy to speak, or his audience to hear.

4. That when the meeting was dismissed, the Roman Catholics filled up the porch, and crowded in front of the door, refusing to go out or to disperse when asked to do so, and waiting for Mr. Chiniquy. That when the latter came out of the Church, accompanied by myself and four or five others, members of the Presbyterian Congregation, the crowd which consisted of about two hundred and fifty people, began to shout, and throw eggs and gravel, in the direction in which we were. That we had not proceeded far when stones thrown by the mob began to fall thickly around us, many of them striking our persons. Mr. Chiniquy receiving severe injuries, from which he has not yet recovered, and I being struck five or six times, one stone cutting me severely on the head, and incapacitating me for duty for a time.

5. That the mob continued to pursue us with increasing violence, until we were compelled to take refuge in the house of Alexander Cameron, it being my firm conviction that if we had not so sought refuge, Mr. Chiniquy's life, if not my own also, would have been sacrificed.

6. That Mr. Chiniquy did not dare to leave the house of the said Alexander Cameron until after daylight, as the crowd continued to watch for him, but that I, accompanied by Robert Trotter, Esq., John Pushee, and Robert Smith, ventured out about one o'clock, A. M., and proceeded to my home, and that in going out of the said Alexander Cameron's house, I saw a number of Roman Catholics on the street in front of, and near the house, and that we met others on our way home in knots of three and four, and that amongst these was Archibald McGilvray, J. P.

7. That on the following Sunday evening, July 13th, as I was proceeding home from Church, about half-past 8 o'clock, P. M., in company with Robert Trotter, Esq., there was a crowd of some forty or fifty people gathered at Whidden's corner, and as we were passing the corner, a stone, as I believe thrown by some one in the crowd, fell near the said Robert Trotter, Esq., and myself, the Rev. A. C. Gillies and some others of our congregation, being a few steps in advance of us, and that I believe the object of said crowd was to assault us if it had been dark enough for their purpose.

That on the night of the eleventh July, 1873, the effigies of myself and Rev. Charles Chiniquy were carried at the head of a torchlight procession through the streets of Antigonish, and after being paraded for some time throug . the town, were burnt in front of the Presbyterian Church. And I have signed,

P. GOODFELLOW,

Minister of the Presbyterian Congregation Antigonish, in connection with the Presbyterian Church of the Lower Provinces.

Sworn to at Antigonish, this)
20th day of September, A. D.,)
1873. Before me,)

ROBERT TROTTER, J. P.

I, James Burnside, of Antigonish, in the County of Antigonish, farmer, make oath and say as follows:

1. That on the evening of the 10th of July, I attended a Lecture by the Rev. Charles Chiniquy, minister of the Presbyterian Church, in the Presbyterian Church at Antigonish, on his life, opinions, and missionary work.

2. That the Church was well filled, and after Mr. Chiniquy had spoken a short time, several of the audience began shouting, "you lie," "you lie," and during the whole of the remainder of the lecture, all manner of noises were made; the church bells were rung, and such other general disorder, as interfered with both the speaker and hearers, some shouting, "Fire," "Fire," as I verily believe to break up the meeting.

3. After the lecture had finished, I remained in the church for some time, and walked out with Rev. Peter Goodfellow, pastor of the said church, and Rev. Charles Chiniquy, Robert Trotter, and others, and as soon as we were on the street, the crowd began to shout, and throw eggs and gravel and stones in the direction in which we were going.

4. That I was repeatedly struck with eggs and gravel, and when near Thomson's corner, I was struck a heavy blow by some person from behind, and knocked down from the weight of said blow; and when I arose, I saw a stick near me which I picked up, when George Kirk came up, and catching me said, "Grandpa they will kill you," but I did not leave.

5. That afterwards standing in front of Mr. Alexander Cameron's house, where the said clergymen had sought refuge, Hugh McLellan, J. P. came up to me from among the crowd and said, "you had no right to fetch Chiniquy here to make this disturbance." I replied "We did n't fetch him here, but he has as good a right here as any one. You may bring whom you please into your chapel, but we will not interfere with you," or words to that effect.

6. Afterwards I went into the house of the said Alexander Cameron, where the said Rev. Peter Goodfellow and Charles Chiniquy had sought a refuge and saw said Peter Goodfellow bleeding on the back of the head, and said Charles Chiniquy complaining of pains from the injuries he had sustained.

7. In a short time after I went into the house, Dr. McDonald, who had been summoned, arrived and dressed the said Peter Goodfellow's wounds.

8. That during the time I was in the said house, I heard the crowd shouting, "Chiniquy Hotel," "Chiniquy Hotel," and I heard the blows of eggs or stones, on the house and the crowd yelling in the most boisterous manner.

9. That I left the said house some time after one o'clock of the morning of the 11th July last past. I went to my home, and for over a week afterwards I felt the effect of the blow I received on the said night.

And I have signed,

JAMES BURNSIDE.

Sworn to at Antigonish, this Ninteenth day of September, A. D. 1873. }

Before me,

JOHN McMILLAN, J. P.

I, James Eadie of Antigonish, in the County of Antigonish, farmer make oath and say as follows:

1. That on the evening of the tenth of July last past, I was in the Presbyterian Church at Antigonish aforesaid where Rev. Charles Chiniquy was delivering a Lecture.

2. That among these present at the above named meeting were certain persons who were very unruly, shouting, calling loudly, ringing the Church bells, walking out and into the Church in an improper manner, and in many other ways making much disturbance to the great annoyance of the said lecturer, and all who wished to hear him.

3. That near about a quarter past ten, when the lecturer had finished, and the congregation were retiring, a large concourse of people, were crowded about the door, making violent demonstrations and shouting lustily, nor would they retire and allow the congregation peaceably to go to their homes.

4. That the Rev. Peter Goodfellow, pastor of the Presbyterian Church aforesaid, came out and kindly asked the crowd about the door to disperse, and permit all those present peaceably to go to their homes.

5. That the crowd refused to disperse, nor would they, neither did they leave, many of them remaining in the church, where the said Rev. Charles Chiniquy and Peter Goodfellow both were.

6. That at or near eleven o'clock, on the said evening, Rev. Charles Chiniquy accompanied by Mr. Goodfellow and others, came to the Church door, the crowd raised a great shout, some calling "Kill him," "Kill him," and began to throw eggs and gravel in the direction of the clergymen, following the above named clergymen and those with them when they came out of the church upon the street, when large stones were thrown at them from among the crowd.

7. That I saw one of the stones strike Rev. Peter Goodfellow, who staggered, when I caught him fearing he would fall, the stones meantime falling thickly about me.

8. That soon afterwards both the above named clergymen sought refuge in the house of Alexander Cameron.

9. That as soon as they the said clergymen were within, the crowd threw stones at the house of Mr. Cameron, some of which broke the windows of the said house.

10. That I saw Daniel McPherson throw stones at the said house of Alexander Cameron, and that I asked him to stop, telling him, "It was a shame for him to act so," but that he did not stop, and that I had to leave to save myself as violent actions were made against me by some persons near by.

12. That standing with Mr. White, on the said night, nearly opposite the house of the said Alexander Cameron, I met Archibald McGilvray, J. P. to whom I said, "Why don't you go and get your clergy out to stop this work," to which he replied "What could the clergy do, that man had no business to come here. It was good enough for him. You brought a black-guard of a man here to raise disturbance among the people."

13. Lastly, that near or about midnight, I left the town, the crowd still being in front of Mr. Cameron's house.

And I have signed,

Sworn to at Antigonish., this Eighteenth day of September, A. D. 1873. } JAMES EADIE.

Before me. ROBERT TROTTER, J. P.

I, John White, of Antigonish in the County of Antigonish, make oath and say as follows:

1. That on the evening of the tenth of July last past, I was in the Presbyterian Church at Antigonish, where Rev. Charles Chiniquy, minister of the Presbyterian Church, was delivering a lecture on his missionary labours.

2. That there was much interruption, and noise during the greater part of the time the said Rev. Charles Chiniquy was speaking, so that all who wished to hear were prevented from doing so satisfactorily.

3. That after the close of the Lecture, I saw Alexander McDonald in the Church porch, with an axe-handle in his hand and also that afterwards I saw the said Alexander McDonald on the street, with the same weapon still in his hand.

4. That when the Rev. Charles Chiniquy and Peter Goodfellow were on the street, before they sought shelter in the house of Alexander Cameron, I saw Angus McPherson picking up what I verily believe to be stones, and running towards the said Charles Chiniquy shouting, "Let's have the old buggar."

5. That after the Rev. Peter Goodfellow and Charles Chiniquy had gone into the said Alexander Cameron's house, I was standing beside James Eadie, when he the said James Eadie said to me, "White had we not better get the clergy out," by which expression I understood him to mean the Roman Catholic Priests. That we thereupon started for the priests, Hugh Gillie's, P. P. house, and while going through the crowd, we met Archibald McGilvray, J. P., when the said James Eadie said to him, the said Archibald McGilvray, J. P. "Hadn't we better get the clergy out to stop this row, I'm afraid it's to be bad work;" to which the said Archibald McGilvray, J. P. replied "What has the clergy to do with it? Would you go to disturb peaceful and quiet men at this time of night? You have brought it on yourselves. You brought a black-guard of a man down here to insult and abuse us, and now take what you get," or words to that effect.

6. That the said Archibald McGilvray, J. P. made no effort to stop the Riot, neither did he go with us to the house of the said Hugh Gillies, Parish Priest, nor in any way attempt to stop the riotous proceedings of the said crowd on the said night of the tenth of July last past.

And I have signed,

W. J. WHITE.

Sworn to at Antigonish, this Ninteenth day of September, A. D. 1873. }

Before me,

ROBERT TROTTER, J. P.

I, Charles J. Thomson, of Antigonish in the County of Antigonish, farmer, make oath and say as follows:

1. That on the evening of the tenth of July last past, I attended a Lecture in the Presbyterian Church at Antigonish, by the Rev. Charles Chiniquy.

2. That some time after the said Charles Chiniquy had spoken, several persons in the audience began to disturb the meeting, by continuous shouting and tramping, and in various ways interrupting the speaker, and preventing the audience from hearing what the

said speaker was saying. During the time the said Charles Chiniquy was speaking both the church and school house bells were rung.

4. After many of those in the house had gone out, a rush was made by a crowd standing near, and yelling and calling, "Bring him out." All manner of violent demonstrations were made. At this time Rev. Peter Goodfellow and Charles Chiniquy were still in the church.*

5. When the said Rev. Peter Goodfellow and Charles Chiniquy came out of the church, the crowd followed them still shouting lustily, and I heard stones or some other hard substances strike Mr. Cameron's house, where I verily believe the said clergymen sought shelter.

6. That going along in company with Wm. J. Beck, at or near the time the crowd were in front of the house of the said Alexander Cameron, Archibald McGilvray, J. P. met us and said, "Why did they bring such a rascal down here to cause such disturbance" or words to that effect. Immediately afterwards Hugh McLellan, J. P. came up to us and said "What a pity he came down here to cause disturbance among us" or words to that effect. I replied "You will soon forget it." One of these, I am not sure which, replied "Not for a good while." Archibald McGilvray, J. P., above named then said, "It's good enough for them, let them take all they get," or words to that effect.

7. That I shortly afterwards went up to the platform in front of the said Alexander Cameron's house, where Mr. Nathan Pushee was standing. A man came up to us, and asked for James Eadie. The said man then not finding out the whereabout of the said James Eadie said, "He said, I had a stone in my hands and I will find him if I have to go to hell for him." Some time afterwards I went home.

And I have signed,

CHARLES J. THOMSON.

Sworn to at Antigonish, this Ninteenth day of September, A. D. 1873.

Before me,

ROBERT TROTTER, J. P.

I, Robert James Smith, of Antigonish, in the County of Antigonish, farmer, make oath and say as follows:

1. That on the evening of the tenth of July last past, I attended a lecture in the Presbyterian Church in Antigonish, aforesaid, by the Rev. Charles Chiniquy.

2. That many of the persons present at the said lecture were exceedingly noisy, and boisterous, calling, shouting, and disturbing the speaker, by questioning and shouting, to wit: John McDonald, Painter, and Stephen McRinnon and others.

3. That Angus McIsaac, J. P. after having put a question and not seeming satisfied at the answer given by the said Charles Chiniquy, left the church in an excited manner, exclaiming, "You can't answer the question and the quicker you clear out the better for you," or words to that effect.

4. That I left the Church before the said Rev. Charles Chiniquy, and returning afterwards saw a large crowd on the street, and at that time stones were flying, and the crowd were acting in the most disorderly, and violent manner.

5. That some person informed me "that some one was hurt," and going through the crowd, I saw Rev. Peter Goodfellow supported by a man whom I took for John Pushee staggering along the street.

6. I heard some one tell the said clergymen to seek shelter, and saw them soon afterwards go into the house of Alexander Cameron.

7. That the crowd continued to throw stones after the said clergymen sought shelter in the said house.

8. Afterwards Archibald McGilvray, J. P. came up to where I and others were standing, and said, "Gentlemen the sooner you leave this place the better," or words to that effect.

9. That among those standing near me, where the said Archibald McGilvray, J. P. made use of the above words were Robert Trotter and Nathan Pushee, and I thought at the time that it was a threat against myself and friends.

10. That at, or about one of the clock. A. M., on the morning of the eleventh, I accompanied the Rev. Peter Goodfellow to his house, in company with John Pushee and Robert Trotter, fearing that some harm might be done the said clergyman on his way home.

11. That on our way to the house of the said Mr. Goodfellow, a man walked up behind us and raised his hand as if to strike at the said Mr. Goodfellow, and I turned about and stepped between Mr. Goodfellow, and the said man but I did not know who he was.

And I have signed,

ROBERT J. SMITH.

Sworn to at Antigonish,)
this Eighteenth day of September, A. D. 1873.)

Before me,

ROBERT TROTTER, J. P.

I, J. B. Gass, formerly of Tatamagouche, in the County of Colchester, now of Antigonish, in the County of Antigonish, clerk, make oath and say as follows:

1. That on the evening of the tenth of July last past, I attended a Lecture in the Presbyterian Church in Antigonish, aforesaid, by the Rev. Charles Chiniquy.

2. That many of the persons present at the said Lecture, were exceedingly noisy, and kept continuously disturbing the speaker, by simultaneously rushing out of the church, calling, shouting, and ringing the Church bell, as they went.

3. That Angus McIsaac, J. P. after having put a question in which he asked the said Rev. Charles Chiniquy to prove the truth of the Bible on the authority of his (Mr. Chiniquy's) own church, and not seeming satisfied at the answer given by the said Charles Chiniquy, walked out of the church saying something as he went which I do not recollect now.

4. That I left the Church before the said Rev. Charles Chiniquy, at which time there was a large crowd assembled on the street in front of the Church.

5. That on the Rev. Charles Chiniquy, accompanied by the Rev. P. Goodfellow leaving the church, and proceeding along the street a short distance, I crossed the street, and got in among the crowd which were following the said Reverend Gentlemen.

6. That I saw the hat of the above mentioned Rev. Peter Goodfellow knocked off by a stone, or some such missile, and next moment a stone thrown by Alexander Smith, son of Donald Smith of Hollowell Grant

in the County of Antigonish aforesaid, struck the Rev. P. Goodfellow on the head and knocked him down, after which he the said Rev. P. Goodfellow was assisted to his feet, and took refuge along with the aforesaid Charles Chiniquy in the house of Alexander Cameron.

And I have signed,

J. B. GASS.

Sworn to at Antigonish, this Nineteenth day of September, 1873. }

Before me,

ROBERT TROTTER, J. P.

I, Nathan W. Pushee of Antigonish, in the County of Antigonish, farmer, make oath and say as follows,

1. That I attended a lecture by the Rev. Charles Chiniquy, in the Presbyterian Church in Antigonish, on the evening of the 10th of July last past.

2. That there was much disturbance in the said church, while the said Charles Chiniquy was speaking.

3. That after the lecture was over and many of the audience had gone out, several persons were in the entrance, and in the aisles of the church making much noise. I asked them to stop, saying to them, "This is no place for you to carry on, you better go out." Some of them did go but others remained.

4. That as soon as the said Charles Chiniquy came out of the church accompanied by the Rev. Peter Goodfellow, the pastor of the said church, the crowd began to shout loudly, and throw stones and eggs in the direction said clergymen were going.

5. I was walking close to the said Rev. Peter Goodfellow, when a stone struck him, passing over my shoulder, when he the said Peter Goodfellow said, "My skull is broken."

6. I accompanied him, the said Peter Goodfellow and Charles Chiniquy to the door of Alexander Cameron's house, into which they the said clergymen went for shelter.

7. While standing on the platform of the said house in company with Charles J. Thomson, Daniel McPherson came up to us, and asked for James Eadie. I said "He is not here." He, the said Daniel McPherson, then said "James Eadie said, I had a stone in my hands, and I will find him if I have to go to hell for him," or words to that effect, with other wild remarks.

8. After some time I left, a large number being still on the street, and went to my house.

And I have signed,

NATHAN W. PUSHEE.

Sworn to at Antigonish, this Nineteenth day of September, A. D. 1873. }

Before me,

ROBERT TROTTER, J. P.

I, Winslow Wilkie, of Antigonish, in the County of Antigonish, farmer, make oath and say as follows:

1. On the evening of the tenth of July last past, the Rev. Charles Chiniquy lectured in the Presbyterian Church of Antigonish, and I attended on the said evening, in the said Church.

2. That during the time the said Charles Chiniquy was speaking, many persons present interrupted him, and disturbed the meeting by shouting, stamping, ringing the Church bell, and other disorderly conduct.

3. That after I came out of the Church, which was about a quarter past ten, a large crowd were assembled about the front of the Church.

4. As soon as the Rev. Charles Chiniquy and Rev. Mr. Goodfellow, the pastor of the above named Church, came out, a great shout was raised, the crowd following them, and throwing first eggs and gravel, and afterwards stones, in the direction the said clergymen were going.

5. I saw the said clergymen go into the house of Alexander Cameron, the crowd still throwing stones, one of which broke a window pane in the said house.

6. Among those throwing stones at the house, was Daniel McPherson, whom I saw throwing a stone at the said house, which stone broke a window pane in said house.

7. At or near twelve o'clock at night, I left for my home, at which time, there was still a large crowd in front of the said Alexander Cameron's house. Shortly before leaving, one Daniel McDonald, walked up to me saying in a threatening manner, "Here's a fellow I would like to have a clout at," but I not moving, he walked away.

And I have signed,

WINSLOW WILKIE.

Sworn to at Antigonish, this 18th day of September, A. D., 1873. }

Before me,

ROBERT TROTTER, J. P.

David McNair, of Cape George, of Antigonish, Esquire, makes oath and says, I was present during the riot in Antigonish on the night of the tenth of July last, and saw Capt. John McDonald of Antigonish, in the act of picking up something off the street, and immediately thereafter Mr. Goodfellow was struck with a stone.

D. McNAIR.

Sworn to before me, this 23rd day of September, 1873. }

ROBERT McDONALD, J. P.

To this communication they received the accompanying reply:

ATTORNEY GENERAL'S OFFICE,

Halifax, Nov. 28th, 1873.

REV. E. A. McCURDY,
New Glasgow.

SIR:—Your communication of the 11th inst., accompanied by several depositions, in connection with the riot complained of at Antigonish, was duly received, and has been laid before the Government.

I am instructed to say that copies of those depositions which affect the two magistrates in question, will be at once forwarded to them, and a reply be requested.

It will be seen by the enclosed copies of letters I received fr

Archibald A. McGillivray and H. McLellan, Esqrs., that I have already addressed them on the subject, at the same time forwarding them copies of your communication containing the charges against them.

I have the honor to be,

Your [illegible] servant,

HENRY W. SMITH.

The following are the letters from Messrs. McGillivray and McLellan, referred to in the Attorney General's note:

ANTIGONISH, November 5th, 1873.

HON. H. W. SMITH, Esq.,

Attorney General:

DEAR SIR:—In acknowledging your letter of the 24th ult., it may not be out of place to observe that on the night of the disturbance in question, there were several Justices of the Peace present, nearly all of them members of Mr. Goodfellow's congregation, and that only myself, and one other—both Roman Catholics—have been singled out by the Pictou Presbytery as objects of attack. This I remark because taken in connection with the facts, which I will subjoin, it will go for to show that justice is not so much perhaps, as is a species of polemical triumph, desired by the Rev. E. A. McCurdy and his friends.

I was present during the first part of Mr. Chiniquy's discourse in the meeting house, left the building long before he had concluded, and returned later in the evening, at the time when what has been called the "Riot," was in operation. Instead of aiding or abetting the disturbance in any manner whatever, I endeavored by reason, remonstrance, and every other means in my power, to disperse the crowd, and restore quiet. Of my action, I can, if necessary, give the personal testimony of Protestant eye-witnesses, or confirm my statement by affidavit; but I submit that, so long as nothing is urged against me but the allegations of men, who were not present at all, my simple denial ought to be sufficient.

If I did not succeed in securing quiet on the evening in question, the 10th of July the fault was not mine. The Antigonish Police force consists of only two persons, of whom one was not present, and the other was absent in Port Hood, Cape Breton; you will therefore see that I had not at command sufficient physical strength to act otherwise than I did; nor did, nor could, any one of the Protestant magistrates present act any more energetically.

In view of these facts, I can only treat Mr. McCurdy's charge, that "I was giving countenance to those who were disturbing the peace of the community," as an undeserved slander, evil-minded or misinformed men could make, but no truthful or honorable man can ever prove.

I have the honor to be,

Your most obedient servant,

ARCHIBALD A. MCGILLIVRAY.

WEST RIVER, ANTIGONISH, Nov. 18th 1873.

HON. H. W. SMITH,
Attorney General.

DEAR SIR:—Yours of the 24th ult. has come to hand. In reply, I have first to state that with all due deference to the statement of the Pictou Presbytery, I believe and respectively submit that it is somewhat unusual for a body of that character to arraign one of Her Majesty's Justice of the Peace for an alleged fault of which there is no proof whatever by affidavit.

Second. On the night of the disturbance alluded to I was standing on the Cross Street nearest to the Presbyterian Church, when the crowd which had been auditors of the Rev'd Mr. Chiniquy came out, and passed me on their way West. They were there quite civil.

Third. The next thing I knew was that a crowd was about the house of Mr. Cameron, Esq., which crowd I wished to disperse; but as there were no policeman near, I could do no more than ask them to desist, which they did partially, and I believe entirely before I left. This is all I know; and this I submit. I believe that several most trust-worthy men will agree in every statement I have made.

Your Obedient Serv't.

H. MACLELLAN.

P. S.—I know not how it is that your letter never reached me until Monday, the 17th inst. There must certainly have been some mistake in the address, which I am very far indeed attributing to any circumstances other than accident.

After waiting nearly six weeks for information concerning the reply of the accused Magistrates to the affidavits sent them by the Government, the Convener under directions of the Committee addressed the accompanying note to the Attorney General.

NEW GLASGOW, Jan. 7th 1874.

SIR:—I am directed by the Committee of the Presbytery of Pictou on the Antigonish Riot, to inquire of you whether or not the accused Magistrates have complied with the request of the Government to furnish answers to the depositions sent to them some five weeks ago. So long a time has elapsed that they think it not unlikely that your communication containing copies of their replies has miscarried.

I am also instructed to request that you will do them, the favour of stating whether or not the Government intend taking any action in reference to the Riot itself.

I have the honour to be
Your obedient Servant.

E. A. MCCURDY.

HON. H. W. SMITH.
Attorney General,
HALIFAX.

The following is the Attorney General's reply:

ATTORNEY GENERAL'S OFFICE,
Halifax, N. S., January 15, 1874.

REV'D E. A. McCURDY,
New Glasgow.

SIR:—Yours of the 7th instant was duly received. I should have immediately replied to it had there been enough Members of Council in town to consult.

I have only this morning received from Mr. McGillivray an answer under oath to the charges made against him in the depositions furnished me. I at once put you in possession of a copy of his affidavit.

I am instructed by the Government to state, that if the sworn statement of Mr. McGillivray does not satisfy the Presbytery of Pictou of his innocence, a public investigation at Antigonish will be had, for the purpose of examining into the truth of the charges. Should such a proceeding be desired the Committee of the Presbytery will be good enough to name a day, when it will be convenient for some one to attend on their behalf to substantiate the charges, giving me sufficient notice, in order that I may apprize Mr. Gillivray of the time of the enquiry.

In reference to your enquiry "whether the Government intend taking any action in reference to the riot itself," I can only repeat, what I have before stated, that however much the Government regret, that a transaction so disgraceful should have occurred at Antigonish, they do not feel, that until the law of the land, which not only provides a punishment for such offences, but *prescribes* the means of securing it, is at first invoked by the parties aggrieved, and found ineffectual, the Government should be expected to assume the position of a public prosecutor. At the same time, I also beg to repeat my assurance to you, that I am ready as Attorney General of this Province to afford you every information and any assistance in my power, to bring, by aid of the law, the offenders to Justice.

I am
Your most ob't Servant,
HENRY W. SMITH.

The accompanying affidavit from Archibald A. McGillivray, contains his answer to the depositions which the Government had transmitted to him:

Province of Nova Scotia, }
County of Antigonish. }

Archibald A. McGillivray of Antigonish, in the County of Antigonish, Esquire, one of Her Majesty's Justices of the Peace in and for the said County, appeareth before me and deposeth as follows:

On the evening of the tenth of July last past, about the hour of 9 o'clock, as deponent was sitting in his room at home in Antigonish aforesaid, reading a newspaper, he heard the bell of the Presbyterian Church ring, and going out to the door of his house and listening to the irregular manner in, and considering the unusual hour at which the bell was ringing, deponent judged there was something wrong. Deponent immediately left his house, went out on the street, and proceeded in the direction of the Presbyterian Church to ascertain the

cause of the ringing of the bell. On Deponent arriving at the Church he saw some young men on the street and side-walk opposite to the Church, appearing excited; but deponent did not at the time anticipate the violence that shortly afterwards took place.

There being only two police constables for the town, neither of whom was present at the time, Deponent considered it useless to call on one portion of an excited mob or crowd to disperse the other portion. All then that deponent considered he could prudently and effectually do to preserve peace and order, under the circumstances, he did, namely, reasoned with the crowd, pointing out to them the lawlessness and impropriety of their conduct, and the dangerous responsibility they would assume if they would cause any disturbance, or commit violence. He, deponent, also advised them to go away from the Church, and get out of hearing what was exasperating them, or words to that effect, Rev. C. Chiniquy being at that time addressing the congregation in the church. On seeing that the crowd would not take his advice to go away deponent advised them to be civil, and not to offer violence to any one, or words to that effect. Deponent then stepped across the street and remarked to two Protestant gentlemen that he was afraid the crowd outside would allow themselves to be carried so far by the excitement which seemed to influence them as to commit a serious wrong. About this time and while deponent was thus standing on the opposite side of the street, the people in the church came out, and owing to deponent's position with respect to the crowd who mixed with the people that were coming out of the church, he did not see any assault made on any body; nor did he see any violence offered. After the Rev'd P. Goodfellow and C. Chiniquy left the meeting house followed by the rioters and the people who were in the church, deponent met W. J. Beck, J. P. of Antigonish opposite William Thomson's, and not opposite the house of Alexander Cameron, as deposed by Charles J. Thomson, an individual deponent has no recollection of seeing at all on that evening—and, in answer to some remark, deponent characterized the whole affair as disgraceful to all parties. Deponent distinctly denies having said, "It is good enough for them, let them take all they can get" as deposed by the said Charles J. Thomson.

After parting with Mr. Beck, Deponent heard that Mr. Goodfellow was struck with a stone, and that he and the Rev. Charles Chiniquy had gone into the house of Alexander Cameron, Esquire. Deponent said to Mr. John O'Brien of Antigonish, he would make another attempt to quell the riot, and that the rioters would not be allowed to follow the Rev'd Peter Goodfellow and Charles Chiniquy into Mr. Cameron's house, and started to prevent them from entering said house in case they attempted it, and when getting off the street on to the side path opposite the said Mr. Cameron's house, deponent met James Eadie and another man whom deponent took to be a young man named Frederick McDonald. When deponent met the James Eadie, he, the same James Eadie asked deponent in an imperious tone of voice why was he not taking the Priest out to quell the riot; or words to the same effect, but deponent not finding Mr. Eadie's address suitable to his temperament at the time, answered him by simply saying that the Priest was in bed, and if he were not, that he, deponent, would not ask him to come out to assist in quelling a row, that they themselves were instrumental in creating, and passed on to meet the rioters, but having met a Protestant lady seemingly excited with whom he

turned right back, and led her out of the crowd and on to the street; when deponent returned and went where the rioters were standing and told them to disperse—that they had disgraced themselves enough now; which they did and peace and order were restored. Deponent remainded sometime after near the scene of the riot, and saw no further violence offered, nor any sign of danger that the crowd would commit any further violence.

Deponent further saith that he did not at any time on that occasion either aid or abet or countenance the conduct of the rioters.

Sworn to at Antigonish, this tenth day of January, A. D. 1874, before me. } (*Signed*) ARCHIBALD A. McGILLIVRAY.

(*Signed*) D. CONDON, J. P.

To this communication, the Committee returned the accompanying answer:

NEW GLASGOW, Jan. 22nd 1874.

SIR:—Your communication of the 15th inst., accompanied by a copy of Mr. McGillivray's affidavit came to hand on the 16th. I have only to-day, been able to secure a meeting of the Committee. The papers have been laid before them, and I am instructed to convey to you an expression of the deep regret, which they feel that the Government have declined to institute an investigation into the conduct of the rioters at Antigonish, and to intimate to you, their decided conviction, that the course pursued will inflict a severe blow upon the interests of Justice, and good order throughout the Province.

In reference to your proposal respecting the Magistrates, I am directed to inform you that as the Government propose an investigation only on condition, "that the sworn statement, of Mr. McGillivray does not satisfy the Presbytery of Pictou of his innocence," they presume that the Government are already satisfied upon that point. Under these circumstances, they respectfully submit that as they have already placed in the hands of the Government several affidavits in support of their charges, which seriously compromise all the accused Magistrates, and as no fewer than three of those depositions, made by respectable men directly conflict in the most important point of his statement with the affidavit of Mr. McGillivray, if this amount of evidence does not induce the Government to institute an investigation as to the truth of the charges with a view of satisfying themselves and the public, rather than the Presbytery of Pictou, they are unable to see that any useful purpose can possibly be served by the Committee pressing the matter further.

I am however instructed by the Committee to state, that if the Government themselves are still in doubt as to the truth of the charges, if they will furnish a tribunal clothed with powers to secure the attendance, and to compel the testimony of all the witnesses who may be called, to take their evidence under oath, and to cite the accusers to substantiate their charges, the Committee are prepared to prove that all three of the accused Magistrates failed, on the night of the riot, to do what they ought to have done, said and did what, under the circumstances was highly improper, and that the sworn statement of Archibald McGillivray, Esq., to the effect that he

distinctly denies having said, "It's good enough for them, let them take all they get," is directly contradicted by the testimony of other witnesses as well as by the evidence of those who have already made their depositions.

As the correspondence connected with this business has already extended over so long a time, the Committee will feel much obliged, if you will do them the favour of an immediate reply.

I remain,

Your obedient Servant,

E. A. McCURDY.

Conv. of Com.

HON. H. W. SMITH,

Attorney General.

In reply they immediately received the following communication.

HALIFAX, Jan. 24th 1874.

REV'D E. A. McCURDY.

New Glasgow.

SIR:—Yours of the 22nd inst., I duly received. The Government regrets that they have not *the power* to furnish such a tribunal as the Committee of the Presbytery suggest as the only one, they will appear before, to substantiate the charges made against the Magistrates at Antigonish; but they have determined to appoint a Commissioner to proceed to Antigonish to hold an investigation, clothed with all the power as regards the examination of witnesses, that the Government *can* confer upon him. Due notice will be furnished the Committee, thro' you, of the time of holding said investigation, when ample opportunity will be furnished, both accusers and accused to offer such testimony, as they may deem proper. Should the Committee decline producing evidence, the Commissioner must then only report to the Executive upon the materials furnished him. This is the only, and the invariable, course pursued, when charges are made against, and denied by, a public officer under the Government, and it is as invariably expected, as the Government have no power whatever to *compel* the attendance of witnesses, that the party, or parties, presenting the charges will gladly avail themselves of the opportunity of substantiating them.

The Government regret that the Committee, do not concur with them in the course, they have felt constrained to adopt in reference to the riot itself; but I am quite sure that on calm reflection, they will see that, while anxious to assist in every possible legitimate way, to bring the rioters to justice, the circumstances under which the executive interference was invoked, were not of such a character, as to call for its aid, and more particulary, when the Law remained unresorted to.

I have the honor to be

Your obedient Serv't.

HENRY W. SMITH.

The Convener of the Committee acknowledged its receipt in the following terms:

NEW GLASGOW, Jan. 24th 1874.

SIR:—Your letter of the 24th inst., came to hand yesterday. I have not yet had an opportunity of submitting it to the Committee, but without instructions, I take the liberty of asking, if you will do me the favor of informing me of the specific powers which the Government can confer upon their Commission, and with which they intend to clothe their Commissioners as well as of the probable time of the investigation.

I remain,
Your obedient Servant,
E. A. McCURDY.

HON. H. W. SMITH,
Attorney General,
HALIFAX.

To this inquiry, the Attorney General gave the following reply:

HALIFAX, January 31, 1874.

REV. E. A. McCURDY,
New Glasgow.

SIR:—I beg to acknowledge the receipt of your note of the 24th inst.

The Commissioner appointed by the Government, will enter upon the investigation as soon as practicable after the Elections are over in this Province.

In reference to your enquiry as to the "specific powers," with which the Government intend to clothe the Commissioner I can only state that the Government has no authority to do more than appoint a disinterested person to receive such testimony as may be produced before him, and to report thereon to the Government.

The difficulty in the way of all non-judicial investigations, a difficulty which I am disposed to think has not been sufficiently comprehended by your Committee, is the want of authority on the part of the Government to *compel* witnesses to appear to give evidence before any tribunal they may attempt to create. The Commissioner, if you desire it, may be instructed to summon the parties whose depositions you have furnished, or others; yet they cannot be coerced to present themselves, nor punished for not doing so. In order therefore to avoid an ex-parte investigation, I trust your Committee will see the necessity of taking some measures to produce the witnesses before the Commissioner.

This inability on the part of the Government to constrain parties to appear, either as informers or as witnesses, has to some extent influenced them in declining to institute an investigation in reference to the riot complained of, until a Justice of the Peace, who possesses the required power, had taken the necessary legal steps, on information laid before him by some one cognizant of the facts.

I have alluded to this subject again perhaps unnecessarily, but I am most anxious that your Committee, representing so influential and respectable a body as the Presbytery of Pictou, should not be unfavorably impressed with the action of the Government, as arising from any other motive than a desire to keep strictly within the limits of their Executive functions.

I have the honor to be
Your obedient servant,
HENRY W. SMITH.

[illegible] is immediately laid before the Committee, and the following answer returned:

NEW GLASGOW, Feb. 5th, 1874.

SIR:—Your letter of the 31st ult., came to hand on the 2nd inst. In reply, I am directed to convey to you an expression of the gratification of the Committee in prospect of an immediate investigation of the charges which they felt themselves reluctantly constrained to prefer against some of the Antigonish magistrates, nearly five months ago. I am further authorized to inform you, that although they feel themselves placed at a serious disadvantage, in being called upon to sustain their charges before a Commission which has no power to enforce the attendance and compel the testimony of their witnesses, some of whom have already been threatened with violence; they are nevertheless determined to do their utmost to bring them forward, as they feel equally anxious with the Government "to avoid an ex-parte investigation." I am also instructed to communicate to you their appreciation of your proposal to instruct the Commissioner to summon the witnesses, for while they would much prefer to have them subpœnaed, they are not without hope that the summons may possibly serve the desired end of securing the attendance of some who might otherwise shrink from appearing as witnesses in this particular case.

I may say that some of the witnesses are at a distance from Antigonish, and accordingly the summons will require to be issued a few days before the Commissioner enters upon his duties. As you have not stated that the Commissioner will have no power to examine on oath, the Committee presume that it is the intention of the Government to conduct the investigation with sworn witnesses; and it is with the confident anticipation that this will be the case, that they have came to the decision which I have communicated to you.

As the Presbytery meets on the 17th inst., it would not be so convenient to go forward till after that date.

I have the honour to be
Your obedient Servant,
E. A. McCURDY.

HON. H. W. SMITH,
Attorney General,
HALIFAX.

On the 23rd of February, the Convener of the Committee wrote to the Attorney General, forwarding a list of the witnesses whom they wished to have summoned.

On the 18th of the same month he received the accompanying telegram:

To REV. E. A. McCURDY.

James W. Johnston, Barrister, will hold investigation at Antigonish on Tuesday, the third of March next, he will summon parties named and will administer oaths unless objected to.

HENRY W. SMITH.

[illegible] with his appointment Commissioner [illegible] proceeded to Antigonish, and at [illegible] on the 2nd of March, took his seat in the Court House, and read the following Commission:—

PROVINCIAL SECRETARY'S OFFICE,
Halifax, N. S., 27th Feb. 1874.

SIR,—I have it in command to forward to you at the inclosed order in Council and to request you to proceed to Antigonish, and there hear under oath such evidence as may be produced and investigate the charges made against Arch'd McGillivray, and Hugh Mc Lellan and other Justices of the Peace in connection with the Riot

I am, Sir,
Your obedient servant,
W. B. VAIL.

James W. Johnston Esq., Barrister, &c.

Copy of minute of Council passed on the 24th of January, 1874.

Ordered, that James W. Johnston, Esq., Barrister, be appointed a Commissioner to proceed to Antigonish to investigate the charges made by the Committee of the Presbytery of Pictou against Archibald McGillivray and Hugh McLellan, two of Her Majesty's Justices of the Peace for the County of Antigonish, and such other Justices of the said county as may be charged with improper conduct in connection with the Riot at Antigonish; and after hearing such testimony as may be furnished said Commissioner either by the accuser or the accused, or such other parties as may come before him, to report to the Government the result of such inquiry.

(Certified) W. B. VAIL,
Clerk of Council.

Wm. A. Johnston, Esq., Counsel for the Presbytery, then read the letter containing the charges against Messrs. McGillivray and McLellan, which bore date Aug. 16th 1873.

Rev. Peter Goudfellow was then called and sworn

I am minister of the Presbyterian Church of this town. Have been so for about a year and a half. Remember the fact of Mr. Chiniquy's being here. He was on a visit to this Province seeking aid for his mission in Kankakee. His movements were directed by a committee of the Presbyterian Church Lower Provinces. Arrangements had been made for his visiting Antigonish. Received intimation by telegram from Mr. McCurdy of New Glasgow. Announced to my people that he would be here on the Sabbath immediately preceding his lecture. Stated that the object of his visit was to lecture and take collections on behalf of the Kankakee and Acadian Missions. He arrived on Wednesday the 9th July. Previous to Sabbath afternoon had expected him to be forward for Tuesday. Accordingly on Sabbath morning had intimated that he would lecture on Tuesday evening on Temperance, and on Thursday evening on the subject already

stated. In the afternoon I discovered my mistake, and at the evening service stated that there would be no temperance lecture, but that he would lecture on Thursday on the Kankakee and Acadian Missions. Chiniquy came on Wednesday and addressed the prayer-meeting on that evening, and on Thursday evening lectured according to appointment.

The meeting opened at half-past seven p. m., on the 10th of July. Service commenced in the usual way with singing and prayer. Afterwards introduced Chiniquy, and re-announced his subject. He commenced his lecture, but did not dwell on the topic announced. Took a wide range, and made remarks which I regretted. Soon unseemly noises were made in the church. There was a good deal of coming and going. Our church bell was rung. Our school-house bell was rung. Then a number raised the cry of fire. There were others besides Protestants in the church. Quite a number of Roman Catholics, some of whom continued coming and going all the time of the lecture. The crowd outside were very unruly. There was whistling and shouting. It was difficult to hear and hard for him to speak. Meeting very much disturbed. The congregation was not dismissed till a little after 10 o'clock, p. m.. It was about 10½ o'clock when Chiniquy, myself, and some half-a-dozen of my people whom I had asked to remain when the congregation went away, left the church. Saw a number of people in the porch. Went out before the rest, and asked them quietly to disperse. They would not go away, would not even leave the church. Were not so noisy then till we came out. Saw a man outside with an axe-handle in his hand. Soon after left the church with Mr. Chiniquy for the purpose of proceeding homeward.

When we got outside, a crowd of nearly 300 people closed in around us, and began to throw eggs and gravel, and afterwards stones. A good many eggs struck me and Mr. Chiniquy. Were struck also with gravel. Then the stones began to come. Was struck half-a-dozen times. Was struck in different parts about the shoulders, back and head. Received a severe blow on the top of the head. The blow injured me very seriously. Was falling but was caught in the act. The effects of that blow remained for more than a week. Got out next day but was incapaciated for duty for a time. Believe that if I had received it on the side of the head it would have killed me. Did not see the stone.

Chiniquy was also struck. Was severely injured. Believe that he did not get over it for two or three months. The crowd was shouting, and throwing stones, with confusion. The noise was of such a character as to be generally known. Was told by parties at least two miles distant that they heard it, and that they thought there was serious work amongst us. The night was rather dark at the time as compared with our present bright moonlight nights. Could see across the street. Could not tell the exact number of the crowd. Took refuge in the house of Mr. Alexander Cameron. We were obliged to take refuge. I began to be afraid of my life while on the street. Afterwards was very much afraid. Think that I heard the expression, "Kill him, Kill him," but would not swear to it. Heard the stones battering against the door. Some were thrown through the door when it opened, and one through the window breaking the glass. One of the doors of the church was partially wrenched from the church, but no windows were broken.

I remained in Cameron's house till one o'clock, and Chiniquy till morning. Stones were fired after the ladies who entered. Dr. McDonald

was sent for, and dressed my wounds at Cameron's. My head was cut. Not entirely recovered from it yet. Still tender and sore.

Remained at Cameron's for two hours. Did not even light a lamp where the light could be seen on the street. Some of the crowd came round to the back of the house. Left the back kitchen, and got into a central room, for fear the mob would break in. Had taken about five minutes to get from the Church to Cameron's. I left Cameron's about one o'clock. Saw some two dozen persons in various knots on my way home. No noise when I came out. Some three or four persons came up after us, one man shaking his fist.

Saw Archibald McGillivray, J. P., and Angus McIsaac, J. P., in the Church. They did not do anything out of the way while there. McIsaac got liberty to ask questions. Saw no misconduct on their part even outside. On our way home saw McGillivray with one of the groups. He had left the Church in the course of the lecture. McIsaac left after he got his answer to the questions. Thought that he said before leaving, "You cannot answer the question." Questions not asked till Mr. Chiniquy was done speaking.

The persons I saw outside were Roman Catholics. Some two or three were across the street from Cameron's. Don't know where McGillivray lives. About a minute after I saw McGillivray, one of a group of three or four, shook his fist at us. Did not see any piles of stones on the side-walk.

Cross-examined by Archibald McGillivray, J. P.

Think it was one o'clock when I left Cameron's. It was after one when I got home. Saw you at the end of College Cross Street. There were some persons not far from you. Some two or three opposite Cameron's. Cannot swear that there was one Catholic among them. Saw Catholics on the street, yourself among the rest. Also, Mr. Kenna and others, though I could not name them. Knew them to be Catholics just as I know there are Catholics in the Court House whose names I do not know.

Cross-examined by Angus McIsaac, J. P.

You did not act the part of a rowdy in the church. Did not hear you say, "You lie."

W. J. White Sworn:

Was in Antigonish on the 10th of July last when Mr. Chiniquy lectured. Was in the Church. Am prepared to corroborate Mr Goodfellow's statements generally, as to what took place inside the church. After Angus McIsaac, J. P., had asked his questions and received Mr. Chiniquy's answer, he replied, "you cannot answer my questions and the sooner you leave the better." This was said rather angrily. Did not see him do anything else in the Church. Saw McIsaac only in the Church. I left the Church before Goodfellow and Chiniquy came out, but afterwards returned. Left a second time for home shortly after they got into Cameron's. Before leaving, James Eadie said to me, "White had'nt we better get the clergy out. I am afraid there is going to be bad work. We met Archibald McGillivray, J. P., while passing through the crowd, and Mr. Eadie said to him, "Had'nt we better get the clergy out to stop this row." He, Mr. McGillivray,

was about the middle of the street, nearly opposite Cameron's house. There were many people in the street. The main body of the crowd I would suppose were not less than 250. Eadie says to McGillivray, "I'm afraid there's to be bad work." Mr. McGillivray replied, "What has the clergy to do with it. Would you go to disturb peaceable and quiet men this time of night. You brought a blackguard of a man down to insult and abuse us, and now take what you get." McGillivray at this time was right on the edge of the crowd, the first man we came up to. A considerable number of people were standing by. At that time the row was still going on. The people were throwing stones at Cameron's house. Did not to my knowledge take any steps to pacify the crowd. Parted from him immediately after. Not a great deal of noise at that time. McGillivray did not go with him to the priest's house. Could not be sure what time of night it was, but think it was about 11 o'clock.

When I came out of the church to go home, some said, "There was to be bad work." Saw several parties go up towards the church. Heard several voices saying, "We'll give him his oats." The persons speaking were standing at the church-fence. I turned back and said to Chiniquy, that there would be rough work, and that he had better look out for himself. Mr. Goodfellow came out and asked them to disperse.

The first cry that I heard after Chiniquy and Goodfellow came out of the church was, "Let's have the old buggar." The crowd also shouted "Brian Daly." The disturbance must have been known throughout the village. Eadie had the conversation with McGillivray about five minutes after Chiniquy and Goodfellow got into Cameron's. He spoke to McGillivray opposite Cameron's house in front of the opposite store, and some three or four rods from Cameron's house. When I left to go home, the crowd with McGillivray were still standing there. Saw stones fired. Saw Hugh McLellan, J. P., in the crowd. Did not see him taking any part one way or other. Did not see Angus McIsaac, J. P., after he left the Church. The crowd continued very violent and boisterous after I parted from McGillivary.

Cross-examined by Archibald C. McGillivray, J. P.

Saw you first that night when Eadie was talking to you opposite Cameron's house. We were going in the direction of the priest's house. You were standing on the street or on the sidewalk. You were standing still on the street when Mr. Eadie was talking to me. Eadie and I came up to you together. Don't think that Eadie said, "Why don't you take out the clergy." I swear to hearing the words that I have already given. You told him the clergy were in bed. You did not say that "the clergy were in bed, and if they were not, I would not bring them out to quell a row which, you yourselves were instrumental in creating."

There were Protestants in the crowd. I was there myself. More than half that crowd were not Protestants. I can swear that not one tenth of that crowd were Protestants. There were some Catholics there from the country. Daniel McPherson was there. Can't name any others from the country.

There were some five or six magistrates in the church, and in the crowd that night. Saw you, Hugh McLellan and David McNair on the street. John McMillan, Alexander McInnis, and Angus McIsaac

Church; and Robert Trotter both in the church and on the street. I did not see Mrs. McLellan with you. I did not go to the priest's house. I went home. Those that were close to you seemed to be quiet. Left you still standing on the street.

Cross-examined by H. McLellan, Esq.

Seen you on the street not far from McGillivray.

Cross-examined by Angus McIsaac, J. P.

You did not say in answer to Chiniquy in the church, "That will do." I swear positively that so far as I can recollect, you said what I have already stated.

James Fisher sworn.

Live about 3½ miles from Antigonish. Was in the Church on the evening of the Riot. Am prepared to confirm Mr. Goodfellow's statement. Lecture finished some time after 10 o'clock. There was a large concourse of people outside. They were not making much noise when we first came out. Heard Mr. Goodfellow ask them to disperse. They did not. Saw Chiniquy and Goodfellow as they went into Cameron's house. Heard people calling, "Kill him," Kill him." Saw Archibald McGillivray, J. P., going out of the Church. He did not take any part in the Church. He went out before the body of the people. Saw him next in front of Cameron's at the time that the ministers were within. Went with White to McGillivray. I said to him, Mr. McGillivray, "Why dont you go and get the clergy out to stop this." He replied, "What could the clergy do? That man had no business to come here. You brought a black-guard of a man into the place, and now you may put up with it," or something to that effect. The crowd were still firing stones against the house and acting in a riotous manner. McGillivray did not go to the priest's house. Did not see him take any measures at all to put a stop to the Riot. He spoke so that all hands round could hear him. Left him standing there. After leaving McGillivray, I walked into the crowd to get them to quit throwing stones. Saw a man there whom I tapped on the back, and told to come out. He said he would'nt. Afterwards he followed me. I told him, it was a shame for him to pelt stones that way, at which time another man struck me with his fist, when I walked away. I left the crowd there. Immediately after I was struck, I went and got my horse and carriage and went home.

I saw one pane of glass broken a few minutes before I spoke to McGillivray. Saw Angus McIsaac, J. P., in the Church. Did not see him in the crowd.

Saw Hugh McLellan, J. P., a few moments before I spoke to McGillivray. He was in front of Cameron's house. He was doing nothing to quell the Riot. Was just walking past. I did not hear him say anything.

I think that McIsaac started from the Church, while Chiniquy was speaking. Did not take up anything that he said.

Cross-examined by A. McGillivray, J. P.

Saw you get up and leave the Church a short time after Chiniquy commenced. Did not see you committing any violence. Cannot say that you were within hearing distance of the shouts while the crowd were following Chiniquy and Goodfellow to Cameron's. Robert Trotter, J. P., was on the street, when the crowd were shouting. He was walking with Messrs. Chiniquy and Goodfellow. It was hard for him to put down the Riot. He was pelted with stones.

Chiniquy did not confine himself exclusively to the subject of the Kankakee Missions.

You might have done a good deal to quell the riot outside the building without my knowing it.

I saw Mrs. McLellan that night in the Church. I did not see you lead her out out of the crowd.

Robert Smith Sworn :

Was in the Presbyterian Church on the occasion of Chiniquy's lecture. Could not tell what proportion of the Congregation were Catholics. I heard the noise inside the porch Heard the ringing of the bells. Left the Church when the lecture was over. Saw Chiniquy and Goodfellow going towards and into Cameron's house. Heard stones strike the house. Think that there were more than two or three hundred people on the street at this time. Saw Archibald McGillivray, J. P. outside, first about four or five minutes after the ministers had gone into Cameron's house. Met him in the gutter nearest Cameron's house. Facing us he said, "Gentlemen, the quicker you leave here the better." I understood him to be addressing us. Robert Trotter, Nathan Pushie, and John Pushie were standing near. The crowd were right in the middle of the street. There was a stone struck the side walk while McGillivray was speaking. I thought that he meant, "You had better leave here or you will be worse served." He then stepped back into the crowd. Did not hear him or see him do anything to quell the Riot. I went home with Goodfellow after midnight. Accompanied him for the purpose of protecting him. Some people were standing on the streets in knots. There was a man stepped up behind him, as if he was going to strike him. I stepped between and he did'nt strike. Did not see McGillivray at that time. Saw Hugh McLellan, J. P. Spoke to him on the platform of Cameron's house. He stepped up on the platform and stood there for a minute or a minute and a half. He said "It was a pity that that man came here to raise disturbance." He did not do anything to quell the riot.

I saw Angus McIsaac, J. P., in the Church. Heard him ask Chiniquy a question. Chiniquy answered, when McIsaac replied, "You can't answer the question, and the quicker you leave here the better."

Cross-examined by Archibald McGillivray, J. P.

I have no ill-will towards you. You were walking from the centre of the street towards Cameron's while the rioters were on the street. Some of them in the drain of the road. You addressed me. You stood there till there was a pretty heavy stone struck near us, then you started back into the crowd. I heard Nathan Pushie speak before you came to a man

who attempted to strike Mr. Trotter. He said, "It's a free country." I stepped out to meet you on the street. You were not facing the crowd. The crowd were behind you. Did not hear you tell the crowd to disperse. I stood there till about one o'clock. There were some seven or eight persons between you and the house. I saw you on the street after leaving Cameron's house about one o'clock. I was with Mr. Goodfellow and his companions when they passed the street leading up to your house.

I saw Robert Trotter, J. P., that night. Also Donald McKenzie, J. P., after the Riot was over. Saw Mr. Cameron, the owner of the house. Did not see McInnis.

I have seen you putting down quarrels before. I did not know the man who tried to strike Mr. Goodfellow. It was after midnight when Goodfellow came out of Cameron's Think it was near one o'clock.

Cross examined by A. McIsaac, J P.,

You asked liberty to ask a question of Chiniquy in the Church and got it You asked him to prove the Bible to be the word of God on the authority of his Church. Your answer to him after he replied was, "You can't answer my questions, and the sooner you get away the better." Think I saw you afterwards walking up the street.

In answer to A. McGillivray, J. P, witness said. There were not many opposite Cameron's house when Mr. Goodfellow came out. They stood on the steps quite quiet.

In answer to W. C. Johnston, witness said that McGillivray had succeeded on former occasions in putting down disturbances.

Charles J. Thompson sworn:

Live at West River or the Glen Road. Heard Mr. Chiniquy Lecture. Was in the Church during the whole time of the Lecture. Quite a number of Catholics present. Those in the body of the Church in the pews were quiet Disturbance commenced in the Church and crowded aisles There was considerable shouting, and once in a while "you lie." The Church bell rang twice, the school-house bell once.

Heard A. McIsaac, J. P., speak in the Church. Heard him say. "You can't answer my question That will do." I tried to quiet the crowd outside. Was walking with W. J. Beck, J. P. in front of his store before the ministers got into Cameron's house McGillivray met us on the right hand side, and talked to us about the disturbance. H. McLellan, J. P., came up and said. "What a pity this man came down to cause disturbance." I said, "I think you will soon get over it" McLellan replied, "Not for a good while." McGillivray said, "Let them take it for bringing such a rascal down. They have brought it upon themselves" At that time the crowd were throwing stones. Did not see him do anything to quell the Riot. Did not see him after that. It was at the time that the Riot was at its height that I heard these expressions. Spoke so that you could hear him as far as the door Dont know how many people there were with McGillivray.

I followed right up to Cameron's house and stood opposite the house for perhaps an hour. Left there about a quarter to twelve. The crowd continued for half an hour after the ministers went in. The glass of the broken window was falling behind us. I heard the crowd which rushed into the hall exclaim before the ministers came out "Bring him out." Did not see McGillivray take any steps that night to quell the Riot.

Cross examined by A. McGillivray, J. P.,

The crowd were not all Catholics. Have no idea what proportion were Protestants. A good many Protestants went home about the time that Chiniquy came out.

Chiniquy began on the Acadian mission, but did not stick to it. Spoke about his own conversion and afterwards spoke of the errors of Rome. I saw Mr. Beck, who is a magistrate, on the street. He did not do anything to quell the Riot. Saw him on one side of the crowd. Spoke to him but did not get an answer. I did not see you while I was in the Church. Did'nt hear you in general tones denounce the Riot. Beyond the expressions which I heard you use, I could'nt say that you did anything to countenance the Riot.

Frederick McDonald sworn:

Resided in Antigonish till last July, in New Glasgow since that time. Received a summons to come here. Was in the Presbyterian Church on the night of the Riot. Witnessed the disturbance. Heard Mr. McIsaac ask a question or two. Went out of the Church when the meeting first broke up, but came in before Chiniquy left and went out with him. After leaving the building the ministers were met with stones, by which they were afterwards struck. Saw McGillivray some time after Chiniquy and Goodfellow went into Cameron's house. The crowd was very much excited just at that time. I went to McGillivray. He was standing on the sidewalk just by the store occupied by King next to Cameron's house. I said to him, "This is rather a bad business. I think that if you went among the people and reasoned with them, advising them to leave, and showing them the consequences that would follow their action, they would scatter." "No," said he, "they would not heed me. It is good enough for them. They brought it on themselves. Let them take it." I made no reply. Left him there. Spoke in common conversational tone—those who were standing near could hear. We were just on the skirts of the crowd. Did not see him do anything to quell the disturbance. Left him just after that. I spoke to Mr. McLellan. He seemed to deplore the action of the people that night. Previous to Chiniquy and Goodfellow's entering Cameron's, the crowd shouted, "Rush on him," "Strike him," two or three times. At that time they were firing stones.

Another young man and I went up to Mr. Goodfellow's to tell Mrs. Goodfellow not to be alarmed if Mr. Goodfellow did not come home for a while. On our way down, two young fellows tried to pick a quarrel with us. Down in front of the College a number surrounded us. At that time there were lots of people on the street. I think that the larger proportion of the crowd were Catholics.

Cross examined by A. McGillivray, J. P.,

Saw you opposite the vacant shop on the sidewalk. Mr. Eadie was not with me at that time. I advised you to go and reason with the crowd. You did not tell me that you had done so before. This was some few minutes after they had gone into Cameron's. At this time the crowd were before the house pelting stones.

Wm. Bishop sworn:

Live in Antigonish. Was in the church the night of the Riot. Saw Mr. McGillivray right opposite Christopher McDonald's store. This was just after Chiniquy and Goodfellow came out of the Church. The crowd were then throwing stones. I heard McGillivray say, "It is good enough for the vagabond, let him take what he'll get." He addressed himself to some who were standing by. Did not hear him say anything else. Did not see him do anything to quell the Riot.

Cross examined by A. McGillivray, J. P.,

I think that when you said those words you were speaking to Wallace Cunningham and old Mr. Henry. Did not hear any names mentioned

Peter McKenzie sworn.

Live in Antigonish. Was in the Church on the night of the Riot. Corroborate generally the previous testimony. I came out of the church with the congregation. Saw McGillivray standing opposite the Presbyterian Church in the middle of the street. Heard him say as I passed, "The bloody rascal came down here where there's ten to one." Did not see him again that evening. Did not see him do anything to quell the Riot. I was just passing along when I heard him make use of this language. There was no person with me. There were some two or three persons standing about McGillivray.

Robert Robertson sworn

Live in Pictou, but was residing here at the time of the Riot. Was at home when the service commenced in the Church

Heard the bell ringing and thought there was fire. When I got to the Church. I remained at the door till the meeting dispersed. Saw McGillivray at the door of the Church. Told him he ought to try to prevent the crowd from making disturbance He replied, "They brought it on themselves, let them take it." This was some ten or twelve minutes before the people came out. The crowd at this time consisted of some fifty people, boys and men, and some women. They were mostly Roman Catholics, a few not over 5 or 6 Protestants

Saw McGillivray again in front of Cameron's. Went in as it was my boarding house, and from the window saw McGillivray on the street. The crowd ran backwards and forwards throwing stones. Noticed particularly two stones, one of which came through the fan-light at the top of the door, and the other struck the door. The crowd continued there till after two o'clock, and some stayed till after four o'clock. Think it was about 12 o'clock when I saw McGillivray on the street.

Cross examined by A. McGillivray, J. P.

Saw W. J. Beck, J. P. Said to him, "You should try to prevent this." He replied he was'nt well. Saw you talking with some persons.

Chiniquy and Goodfellow went into Cameron's near 10 o'clock. Saw you a few minutes after that. Did not see you do anything to prevent the Riot at the Church.

Wallace Cunningham called but did not appear.

Robert Henry sworn

Was not in the Presbyterian Church. Was on the street on the opposite side of the Church when the meeting dismissed. Was there when Chiniquy and Goodfellow came out. Did not see stones but heard them strike. Saw Mr. McGillivray. He was talking to Mr. Beck. Heard him say, "We're ten to one." Beck then turned away. Heard them a very few minutes after Chiniquy and Goodfellow came out of the Church. Did not see him till after that. Did not see which way he went. I went up after the crowd. Did not see McLellan or McIsaac. Think the crowd remained till the roughest of the Riot was pretty well over.

James Burnside sworn:

Am an elder in the Presbyterian Church, Antigonish. Was in the Church the night of the Riot. It was crowded. There were persons in the Church shouting. Not a great many Catholics inside the Church. Heard Mr. McIsaac while in the Church asking a question. Can't well recall what he said. Came out of the Church with Mr. Goodfellow to the side walk and walked on with him to Thompson's corner. I was struck with eggs and gravel after passing the cross street, and after that I was knocked down by a blow from some one. I saw a split of barrel stave by my side, but cannot swear that I was struck with that. My grandson said, "Grandpa, they will kill you." I said, "There is no fear of it." I did not recollect anything that happened from the time that I was struck till we reached the steps of Cameron's house. I stood upon the steps and Hugh McLellan, J. P., said to me, "You done wrong to fetch that man here." I said, "We did not fetch him here, but he has quite as good a right here as you, and it would be long before we would go into your chapel and disturb your people in this way."

Went into Cameron's house. Heard stones fired against the house and the crowd shouting, "Chiniquy Hotel," "Chiniquy Hotel." Saw Mr. Goodfellow sitting in the house with his head bleeding from the wounds which he had received. Chiniquy was complaining of pain in his back, had vinegar applied to it while I was there. Dr. McDonald came in and dressed Mr. Goodfellow's wound. I remained there till the crowd had dispersed. Felt the effects of the blow which I received that night for some time.

Mr. Trotter was on Chiniquy's right hand as he came along the side walk. He was accompanying them home. I think he was endeavoring to protect them. We all got the shower of gravel and eggs.

Robert Trotter Sworn:

Was present at the time of the disturbance on the 10th February. Chiniquy had been announced to lecture on the Acadian Mission. He had been sent by the Committee of Synod. Everything was orderly for some fifteen minutes. About 20 persons then rose and went out. I think that all of them were Catholics. At all events the principal body of them were. Afterwards persons rang the bell. I took it to be a ruse and did not stir. After this the school house bell and also the church bell again rang. I then went out. By this time Chiniquy was nearly through. Outside I found a man ringing the bell. When I got near him, he made for the door, but I caught him. Don't know who he was. Held him for a little while but afterwards let him go. I remained out in the porch till after lecture was over, and tried to keep the peace. No person made me an improper answer. When I was going out into the porch I met Mr. McGillivray, as I thought, coming in. He inquired, "What's the meaning of all this." I don't recollect that I replied to him. Did not see him again till after I came out of Cameron's. I returned into the Church after the lecture was over and waited with the ministers till they left the Church. Accompanied them along the street for the purpose of protection, giving Chiniquy my left arm. I believed that the people would treat me civilly. I received no stones. Knew that the stones were fired. My companions were not so fortunate. All the way to Cameron's house I tried to protect them. The crowd was getting closer upon us as we

advanced. I remained outside when the ministers went into Cameron's. A young man came up before us, shook his fist and said, "You have insulted us, and we will make him pay up for it." About one o'clock I accompanied Mr. Goodfellow home. At this time I again saw McGillivray. Saw him standing and talking to John O'Brien.

The noise and firing stones continued for about half an hour after the ministers went into Cameron's house. I think that the crowd consisted of well on to 300 people. A good many of them were very much excited.

There were other magistrates in the Church, but I don't know what became of them afterwards. Did not see any of the magistrates in the crowd. I think that there were not many Protestants in the crowd. I thought it would be hopeless outside the Church to try to take any more active part than I did.

Cross-examined by Archibald McGillivray, J. P.

Don't think that the Protestant Magistrates that were in the Church could have prevented the disturbance, unless they had come prepared for war. I think that there were five or six Protestant Magistrates in the Church that night. You did not appear to me to be at the bottom of the riot.

Charles Whidden sworn:

Was not in the Presbyterian Church at the time of the riot. Did not see anything of the riot till after it was over. About 10 o'clock went out on the street. Was at Wallace Cunningham's shop below Cameron's house. Saw quite a number on the street. Came down again afterwards and saw McGillivray on the street. Walked up the street with him about half-past eleven o'clock. He spoke to me about the disturbance and expressed himself as sorry that the riot had occured. He said he tried to get those who were making a noise to disperse, and when they would not do so, he told them for God's sake to go home, that they would get themselves into trouble. Had a conversation with him some time after on the subject. It was after he had received a communication from the Attorney General. He read the letter to me, I said to him, "I don't know what Magistrates the articles in the newspapers referred to." He said it was himself and McLellan. He said he intended to answer the Attorney General with plain statement of facts. Said that he had tried to make peace, that some person had told him that he had better get the priest out when he had replied, "You brought it on yourselves and you must take the consequences." I had never heard before that he had used these words.

Cross-examined by A. McGillivray, J. P.

Don't remember where we met first on the evening of the riot. Have already stated the conversation. You denounced the riot. Your language to me on the evening of the riot was altogether inconsistent with what you stated to me afterwards.

Examined by the Commissioner.

There were a number of people on the streets when I came out.

They were quite quiet at that time. I was talking to both Protestants and Catholics, perhaps as many Catholics as Protestants. During the time that I was on the streets the first time, I heard one stone thrown into Cameron's house.

Did not see either McIsaac or McLellan on the streets.

The evidence of Mr. Whidden closed the testimony for the Prosecution.

WITNESSES CALLED BY THE ACCUSED.

David McNair, J. P., sworn

Am a magistrate of this county at the present time. But was not at the time of the Riot. Was here on the 10th of July. Saw McGillivray in the church across the aisle from me. We both stayed in church till after the last hymn and the taking of the collection, after which we went out together. We went on the street right opposite the church. McGillivray said to me, "Davie, I believe there is to be ugly work here to-night." I said, "It looks like it." McGillivray then went over and talked to one of the men who had been making demonstrations. He was no more noisy afterwards than before. I did not see the man after that. Did not see McGillivray after that. So far as I know Mr. McGillivray was for order and peace.

Cross-examined by W. A. Johnston, Esq:

There was a riot that evening. McGillivray did not say whether he was for war or for peace. The noise continued after he spoke about the same as before. I was not called for the purpose of saying whether or not I saw Mr. Goodfellow struck with a stone. Decline to answer that question.

Patrick Floyd sworn:

I recollect the 10th July. Saw Mr. McGillivray in and out of the church that night. Saw him tell a crowd in the por to "behave themselves and go home," or words to that effect. Heard him say that three or four times. Heard him say outside that would never do, that they should behave themselves and be quiet, that it would never do to carry on that way. The parties on the street were violent, making noise and running round. He tried to make peace.

Cross-examined by W. A. Johnston, Esq:

Live in Antigonish. Was in the church that night. Went in after service had commenced about a quarter or half an hour. Remained in until the bell rang. Thought there was a fire. Ran for the engine house. Did not get to the engine house. It was a false alarm. Went back to the church. Remained till there was a second alarm. Did not touch the bell rope. Did not see any one ringing the bell. Stood at the church door. McGillivray made his appearance while I was standing there. They seemed to stop for a time after he spoke to them. Stood outside till the whole crowd came out. I walked in the middle of the street as the crowd went away. Saw Chiniquy and Goodfellow come out of the church. Heard some noise. Did not see any eggs fired. Did not see Mr. Goodfellow struck. There was a large crowd on the middle of the street. They were doing nothing but walking up. I did not see McGillivray after he left the Church.

Stephen McKinnon sworn

I was on the street the night of the Riot. Pretty late I went to the church door. There was noise about the door and in the porch. Saw Mr. Trotter in the door of the church telling the boys to disperse. Saw McGillivray and McNair. They were going into the church. McGillivray turned round and said to the boys, "What are you doing here, go away." Did not see him after that. This was after the bell rang.

Cross-examined by W. A. Johnston, Esq:

Heard there was a row going on. Went into the church after McGillivray. Heard part of what Chiniquy was saying. Was not pleased with it. Did not remain long in the church. When Chiniquy and Goodfellow went toward Cameron's I walked up the street. Saw a good many people. Heard some shouting. Heard some one say that Chiniquy was struck. Did not see or hear any eggs or stones thrown. There was a riot more or less. Have seen bigger rows than that. Did not see a terrible rush. In the porch McGillivray turned round and spoke cross to them. He spoke to them only once.

Cross-examined by A. McIsaac, J. P.

Saw you in the church. Heard you asking questions. Heard Chiniquy's answers. You said, "Mr. Chiniquy was not worth listening to."

John McDonald, (Painter) sworn:

Was in Antigonish the night that Chiniquy was in the church. Saw McGillivray on the platform of the church. I was in the porch while he was talking to a man, and scolding him. Told him it was ridiculous for them to be doing such work, that they ought to go home and mind their own business, that such work would never do. This was about five minutes after the bell rang. Saw him outside after that but not before. After Chiniquy and Goodfellow had gone into Cameron's, I saw him near the house, and heard him say, "It is time for you to go home."

Cross-examined by W. A. Johnston, Esq:

Went to the Church to hear the Word of God. Did'nt come out a better man. Think I was worse. Felt more belligerent afterwards. Was excited that evening. Was in and out of the church. Chiniquy was such black-guard that I went out and would'nt listen to him. Saw McGillivray about ten minutes after the bell was rung. There would be about thirty in the porch. It was nearly full. Both Protestants and Catholics were there, but more Catholics. Don't know who rang the bell. Did'nt know what it was rung for. Heard that Mr. Trotter was in the porch. Heard somebody say that there was a rope put round his neck.

Saw McGillivray talking to a man. Do not know who he was. Heard him say, "Better for you to go home and mind your own business."

Saw Gass get a few blows and tried to save him. Did not see Goodfellow or Chiniquy get any blows. Don't know who was leading the

crowd. About 200 in the crowd. Heard some windows broken after Mr. Goodfellow went into the house.

Cross-examined by Angus McIsaac, J. P.

Heard you say in reply to Mr. Chiniquy, "You aren't able to answer my question, that will do." Did not hear you say, "The sooner you leave the better."

James O'Brien (Policeman) sworn:

Live in Antigonish. Was here the night of the Riot. I spent the most of the evening at the bazaar. Was there at the time the bell rang. Thought that it was a fire. Heard the boys hooting down at the church. Returned again and stayed till the parties came out of the church. Tried to cross over the street to where the clergy were, but was pushed back. The clergy went into Cameron's house. Just about that time McGillivray tapped me on the shoulder and said, "We must stop this. They must not break the building." He went into the crowd where the noise was right abreast of Cameron's house. I did not go into the crowd with McGillivray, and did see him after that. I was acting as constable.

Crossed-examined by W. A. Johnston, Esq:

Think I saw a man throwing a stone. I followed him. He got out of my sight. He went up into the street and wound round into the crowd. Did not ask any person to assist me. Did not think of it. It was shortly after the clergy got into the house that McGillivray tapped me on the shoulder. The crowd had commenced to fire on the building. They did not continue firing long. Don't think that there were more than half a dozen stones fired and two panes of glass broken.—I knew when the clergy went in. Followed up to see if it was going to be serious. Found out that they had been struck, shortly after they had entered. Was [illegible] back when I tried to pass through the crowd. Did not see any one that I could call upon that I wished to take into the row. McGillivray did not command me to take any one in charge. Did not see him doing anything to stop the row. The stone that I saw fired was thrown after McGillivray went into the crowd.

Valentine Chisholm sworn:

Live in Antigonish. Recollect the evening of the Riot. There was some noise. I was round the street up and down. Saw McGillivray try to stop the Riot. The noise was at the meeting-house gate. I was standing about the middle of the street. McGillivray rushed in among the crowd and asked them, "What they meant by this sort of work. It would never do. It wou'l be better for them to go home." Not certain that I saw him after that They did not go home, and in a little while they were as bad as ever.

Cross-examined by W. A. Johnston, Esq:

Was in the Church near the last. Chiniquy was still speaking. Remained in for about ten minutes. Did'nt very much like what he was saying.

Did not hear him very well for the noise. A good many people were going in and out. Did not remain in the porch. Was not there when the bell was ringing. Went out before the meeting dispersed. Saw McGillivray after I came out. He came from the opposite side of the street from the Church. He was walking fast. Lost sight of him in the crowd. Heard him say what he did just as he entered the crowd. Did not see him take hold of any of them. I did not follow McGillivray's advice. He did'nt command me to go home. I did not see any stones, but heard some strike against the building. Do not know of his doing anything to stop the Riot beyond these expressions.

Capt. John McDonald sworn.

Saw McGillivray trying to make peace the night of the Riot. A crowd of us were standing at the Church door shortly before they came out, and after the bell rang. I heard a man say, "Why dont you get him out." Mr. McGillivray said, "What kind of talk is that? What are you about?" There was a big crowd there then. That man never said or did anything afterwards that night. As far as I saw McGillivray was for making peace

Cross examined by W. A. Johnston, Esq.

Was not Captain of the army that night. Had no need of Captains. I was in the Church about five minutes. It was after I came out that I heard McGillivray speak. Will not tell who the man was that McGillivray spoke to. He did not take the man into custody. He did not try to take him. He did not ask my assistance in the Queen's name. I did not hear him asking any assistance. Did not see him doing anything

John O'Brien sworn.

Remember the evening of the Riot. I was standing on the street abreast of Christopher McDonald's store, opposite to the street leading to the English Church, when the Clergy passed along. McGillivray came up just afterwards, and Mr. Beck also came along. There was a little disturbance on the sidewalk. I think it was the time that Mr. Burnside was struck. Mr. Beck said, "It is a shame." McGillivray turned round and said, "I say its a shame too. We knew no difference between a Presbyterian and a Catholic in Antigonish until this blackguard or scoundrel (I am not sure which word he used) came down here, and now you see the effects of it." Before Mr. McGillivray had finished speaking, Mr. Beck moved across to his own store. There were two persons with Mr. Beck at the time. Don't know who they were. Thought they were James Robb and Clarence Harrington. McGillivray had a hold of my arm at the time. We walked up the street together after the Clergy had gone into Cameron's. There was a stone fired just as we got abreast of Cameron's. I think at the house. McGillivray said, "This would have to be stopped. We can't allow this to be carried on." He then went over to Cameron's house. Did'nt follow him over, and did'nt see him for some time after that. About half an hour afterwards I saw him abreast of Mrs. Somer's. He walked down the street with Dugald McDonald and me. We were standing talking at the crossing of the street leading to his house, when Messrs Goodfellow, Trotter, and John Pushie met us there going up.

After they passed, McGillivray bade us good night and we parted. Think that it was about twelve o'clock when I got home. There was no person on that side of the street until we got down to William Shenson's corner where I turned off to my own house. There were only two person's with Mr. Goodfellow when they passed us. There were four persons on the steps of Cameron's house on my way up before I met with Mr. McGillivray. One of them tried to trip me. McGillivray did'nt speak to me that night in any way approving of the Riot. Could not tell in the dark what proportion of the crowd were Protestants.

Cross-examined by W. A. Johnston, Esq:

Was not in the Church that evening. Heard of the Riot first when the bells rang. Was on the street. Was inside the gate of the Presbyterian Church. Did'nt make any noise. Was in the crowd most of the time. Heard what I supposed to be stones fired. McGillivray and I walked up after the crowd. Think that there were stones fired before we went up. One stone I think fired afterwards.

Hugh McLellan, J. P., Sworn:

Saw Mr. McGillivray that night in the early part of the evening before dark. Did'nt consider that he was excited. Saw him again on the street about ten o'clock. I said to Beck, "It's a pity that Chiniquy came here, and that I was afraid that it would cause a sectarian feeling, as the Protestants and Catholics had always lived together peaceably." Beck made no reply. McGillivray said, "I don't blame Chiniquy, but rather Goodfellow."

Cross-examined by W. A. Johnston, Esq:

Was on Church street when Chiniquy and Goodfellow were going up the street. The crowd had passed ahead of us. Heard the commotion. Did not do anything at that time to stop it. Saw that it was no use. When they were firing against Cameron's house I went to try to protect it.

Archibald McGillivray, J. P., Sworn:

On the evening of tenth of July, I was standing on the sidewalk when the first bell of the Presbyterian Church was ringing and the meeting was going in. When Chiniquy passed towards the Church I was standing in front of Benjamin Power's shop. Remained there for a short time. Very shortly after this the mail came in. I had made up my mind not to go to the meeting-house. Passing towards the Post Office I thought I would go in and hear what was going on. I went in and took a seat in the second pew from the door. Shortly after Chiniquy commenced addressing the meeting I went out of the house. At this time the mail was about being opened. I went to the Post Office, got my papers, and went home to my house. I remained in the house reading the paper when I heard the meeting-house bell ring. I thought it strange that it should ring at such an unusual time. Thought it might be a fire. Went out to look to see if I could see any signs of fire. Not seeing anything I concluded that perhaps there was some disturbance about the meeting-house. Thought that if there was my

presence might be wanted there. I went back into the house and got on my boots and hat and started off. I live on a cross-street commonly called College street. When I came out on the main street I could not see any person till I came down opposite the meeting-house. In front of the meeting-house, both on the street and side-walk, there was quite a crowd. The crowd was not making much noise. They were going backwards and forwards excited and uneasy. Forget whether I went into a shop opposite the meeting-house first or not. Afterwards I came out and went over where the crowd was. I began to reason with the crowd, speaking to them of the impropriety of their conduct, and advised them there and then to go home. Our police force is not very strong, only two men. On that night one of them was absent in Port Hood. The other one was not present. I concluded that it would be useless for me to call upon one portion of an excited crowd to put down another. I thought that the best way was to try to persuade them to leave. That I endeavored to do. Some of them started to go away, but they came back again. Was there for a considerable time. I went into the porch. I spoke to those in the porch also, advising them to go home. Tried to enforce upon them the responsibility they were assuming in trying to disturb the congregation. Told them that it was a serious affair. Sometime after this I heard some one in the porch say that Mr. McIsaac was speaking. I then went in and took a seat. Remained there until after the collection and then came out. When I came out the parties outside seemed to close up towards the gate. I then again spoke to them. I told them that since they would not take my advice to go home, for God's sake not to hurt any one, that if they did I hoped they would be punished. Seeing that they would not be advised by me, I made up my mind that I would not do any more. I then stepped across the street in company with Mr. McNair, to whom I remarked that I was afraid that those who were disturbing the peace would go so far as to commit some serious disturbance.

When I first saw them, I saw nobody armed. Did not see a single weapon. Neither did I see them act so that I thought they intended any bodily harm to anybody. About this time the meeting came out, and I happened to be on this side of the street on the opposite sidewalk. When the parties who were in the meeting and those on the outside mixed up, I was not in a position to see anything that was done, neither did I.

The whole crowd then started up the street pell mell, some on the street and some on both sidewalks. I followed up after them. About in front of Christopher McDonald's shop, I was in conversation with Mr. O'Brien, and I heard some remark behind me. I think that there was some sort of jam on the sidewalk opposite Christie McDonald's shop. I think Mr. Beck made a rush in to try and quell them, and that I followed after him. But as he got about the drain of the street, he turned right round and said something. I think it was, "Shame, shame." The jam then gave way, and the parties passed on. I remarked to Mr. Beck that it was a shame. I told him further that "we always lived in peace and quietness in Antigonish, that we never knew the difference between a Catholic and a Protestant till the evening they brought that man down, that it appeared they had to bring that black-guard here to raise disturbance." I said further, "I don't think that we deserved at his hands, numbering as we did seven to their one in this county, and in view of our conduct towards them, the castigation which we had got at their hands that evening."

I heard no more till I heard that Mr. Goodfellow was struck with a stone, and that he and Chiniquy had to seek shelter in Cameron's house

When I heard this I got frightened that the crowd would follow them into the house, and I remarked that we must try and stop the work. I started to endeavour to keep the crowd from going into the house, or from doing anything to the house. I went up the street a piece to get round between them and the house. As I was going off the street to the sidewalk, (I speak now from impression) I met James Eadie and Frederick McDonald. Don't recollect seeing Thomson at all that evening. McDonald said, "Oh, there's Squire McGillivray," and then Eadie came up to me in a surly tone of voice and said, "Why don't you go and take the clergy out," by whom I understood our parish priest. I answered that I thought the clergy were in bed, and if they were not, I would not ask them to come and quell a row which they themselves(the Presbyterians)were instrumental in creating." I passed right on to meet the rioters. After parting with them I met with Mrs. McLellan. She seemed to be very excited and spoke to me in Gælic. She took me by the arm. I turned right back with her to lead her out of the crowd on the street. I then turned back and stood in front of Mr. Cameron's door. The parties then were standing a little below on the sidewalk. I just came up to them and told them that I hoped they were satisfied with having disgraced themselves, and would now go home. I stood there until they went off. This was not long. There was a kind of rumpus kicked up a piece away on the opposite side between the corner and the college. They went off towards this place. I then took a stroll up street, where I met with Mr. Whidden. We walked up street leisurely and talked over the matter till we got opposite his house. I parted from him and came back with Dr. McDonald and John Graham. I parted from these two down about Miss Somer's house, and fell in with Mr. John O'Brien and another young man. I was then on my way home, and we came to the crossing and were standing there, when Rev. Mr. Goodfellow, Mr. Trotter and John Pushee passed us. Saw no person on either sidewalk or on either street when I went home. I think that this was off and on about 12 o'clock.

Examined by John McKinnon, Esq:

I had mixed very little with the crowd, at the meeting-house door before the congregrtion was dismissed. I thought that they were all Catholics. Don't know the number. Afterwards when the congregation mixed I think I would say that there was a majority of Protestants. Could not see any Catholics in from the country. Half from the town were labouring men, and boys. The crowd were ahead of me.

In answer to the Commissioner, Mr. McGillivray, said, Did not hear the stone that was fired at Chiniquy. Could not tell exactly where I was.

Cross-examined by W. A. Johnston, Esq:

I hoped that the rioters would be punished. Still hope that they will be punished. Am ready to do anything to bring them to justice. Some persons did act badly. Don't know who they were. Know that Chiniquy and Goodfellow were struck. Thought that the whole disturbance was lawless. Did not believe that Chiniquy was going to lecture on temperance. Consider that the lecture was uncalled for. Remained a very short time in the Church. What I heard did not affect my temper. Don't think that I was angry. Did'nt say anything unpleasant. A man behind me called him a liar, and therefore I went out. I had

heard so much of Chiniquy that I had anticipated trouble. The bell had ceased before I left the Church. Was not much disturbance when I went out, but I was afraid there would be. Am not sure that I tried to find out who rang the bell. Some time afterwards I heard cries, "Bring him out." The party was right alongside of me. I asked him who he meant.

Went into the Church only once. When I went in a good many were in the porch and some in the door. In the porch I asked, "What was the meaning of all this." People in the porch were Catholics as well as the crowd outside. Have no recollection of meeting any Protestants outside before the meeting was dismissed, except McNair and Taylor. Was on the opposite side of the street when the congregation came out, and a little above the Church. Did not see Chiniquy and Goodfellow when they came out. Did not see or hear a stone. Was following up the crowd pretty closely. Did'nt hear any remarks except when they came out, the crowd cheered "Brian Daly." Think I was standing about Dickson's when the congregation came out. People who came out of the church passed me. Did not believe that they would stone him. Don't think that the disturbance lasted more than from three to five minutes while the Clergy were passing forward to Cameron's. Would certainly characterize the crowd as a Riot. Am a Justice of the Peace. Have been so for about six years. Have never seen so bad a disturbance as that. On other occasions have interfered and succeeded with the assistance of the constables. Forget whether I looked for the Police constable or not. There are two or three constables in the place. Knew that I had power to call upon other citizens to help to quell the Riot. Did not look for any constable. Did not consider that it was my duty any more than any of the rest of the magistrates who were there to do so. If either of the ministers had lost their life I think that I would regret not having done more. Might have tried to do more than I did. I did not think that they would go as far as they did. Up to that time did nothing further than I have stated. Think I was too fast in speaking of him as a blackguard. If the crowd had heard it, it would certainly have excited them. Did not hear that either Chiniquy or Burnside was struck. Heard some one say that it was a shame to strike an old man. Heard since that it was Burnside. Did not take any means to find out who struck Mr. Goodfellow. Don't recollect of any stones being fired against Cameron's house.

Mrs. McLellan met me as I was approaching Cameron's house. Turned and went back with her. The crowd were at Cameron's house before me. I think that I heard one stone strike. Cant say how many were thrown. Don't think that there was more than fifteen minutes between my coming out of the Church and the Clergy coming out. I don't know that the body of the people came out some fifteen or twenty minutes before the ministers. The congregation came almost immediately after me.

When I got up to Cameron's house I said, "I hoped that they were satisfied, that they had done enough to disgrace themselves." I may have said something that I don't remember. Did not look at the clock to ascertain what time it was when I got home.

Knew the man who cried at the door of the Church, "Bring him out." Did not apprehend him, but spoke to him, and he was quiet afterwards. Knew he was quiet because he has testified to that effect.

In answer to the Commissioner who asked, how many Magistrates

he saw in the crowd? Witness replied that he did not see any but Mr. Beck and Mr. Trotter.

Cross examined by A. McIsaac, J. P.

Heard you say in answer to Chiniquy, "That will do you can't answer my question."

John Copeland sworn:

Saw Mr. McIsaac in the Church. Towards the close of the meeting he came and sat down beside me. He asked me if it would be proper to ask a few questions. He then asked permission to ask questions and got it. The questions I considered to be civil questions. Chiniquy answered him. Whether or not the answer was satisfactory might be a matter of opinion. Don't recollect that McIsaac said, "The sooner you are away the better."

Cross-examined by W. A. Johnston, Esq:

There was a good deal of noise at the time. It was difficult to hear what was said. Was noise when McIsaac was speaking. It was with difficulty that Chiniquy could hear him.

Peter Grant sworn:

Was in the church the night of the Riot. Saw A. McIsaac, J. P. there. Heard him speak. Got leave to speak from Mr. Goodfellow. McIsaac asked Chiniquy if he could prove the Bible to be the Word of God by his own Church. Chiniquy said "When I see the sun I believe it, when I see the stars I believe it, and when I read the Bible I believe it to be the Word of God, and you must read the Bible if you would know it to be the Word of God." Mr. McIsaac said, "That will do," and took his hat and walked out. Did not say "the sooner you clear out the better."

Angus McIsaac, J. P., sworn:

Was in the Presbyterian Church on the night of the Riot. Had been there on several occasions before. Was informed that there would be a temperance lecture delivered. Listened to Mr. Chiniquy from the time that I went till he was done. About a minute after he sat down I asked leave to ask a question. Mr. Chiniquy said, "I have not control of the Church." but afterwards he said, "You may." Chiniquy had spoken against the priests and advised the people to read the Bible. I asked him if he could prove the Bible to be the word of God. Chiniquy said, "I can't prove it." Immediately after that I said, "That will do." and took my hat and went home. Had I known that there would be any row I would have tried to prevent it.

Cross-examined by W. A. Johnston, Esq:

Meeting had begun when I went in. Did not know what the lecture would be about. Didn't think much about it. Found that it was not a Temperance Lecture. Think it was uncharitable. The bell rang while

I was there. Heard that it rang, but dont recollect of hearing it ringing. Did'nt see any disturbance in the porch. There were some people in the porch when I went out. Had no trouble in getting through the crowd outside. No excitement when I went out of the church. There might have been a dozen or two about the door. I went immediately home. Was told after I took off my boots that Mr. Goodfellow was struck. Got them to put on again with the intention of geing out. My family objected and I did'nt go.

Mrs. Isabella McLellan (called by Prosecution) sworn:

Was in the church all the time of the meeting. Went home after church. Saw Mr. McGillivray that night. He was standing in the crowd on the street with his arms folded. I spoke to him. Told him it was a wild night in Antigonish. He said, "I think it is something wild." He never moved from the spot. He did not lead me into the side-walk. He never offered to stir from the place. Passed him there standing. There was a lady hurt. She fell and had to be taken home between two gentlemen. McGillivray never moved from the spot, and I left him standing there.

Cross-examined by A. McGillivray, J. P.

I know you. Your name is Angus McGillivray. I was with you Angus McGillivray. I swear that I met Angus McGillivray.

(At this stage there was some altercation between Mr. McGillivray and the witness, about Mr. McGillivray's christian name. From the conversation it appeared that his name was Archibald A. McGillivray, but as the son of Angus McGillivray, he himself was often designated as Angus McGillivray.

The examination of this witness closed the investigation, and after the Commissioner had announced that he would make his report to the Government as soon as he got home, all parties left the Court House, and the crowd which had been in constant attendance dispersed.

A perusal of the foregoing testimony will enable any one to judge, whether or not the charges preferred by the Presbytery were proven. It will be borne in mind that these charges, as originally made, were that Messrs. McGillivray and McLellan were countenacing the rioters, that Mr. McIsaac's name had been mentioned in a connection, which seemed to call for investigation, and that as reiterated in the Committee's letter to the Attorney General of Jan. 22nd., they were that all three of the accused Magistrates failed on the night of the Riot to do what they ought to have done, said and did what under the circumstances was highly improper, and that the sworn statement of A. McGillivray, Esq., to the effect that he distinctly denies having said, "It's good enough for them, let them take all they get," is directly

contradicted by the testimony of other witnesses, as well as by the evidence of those who have already made their depositions."

Now that all three of the accused Magistrates failed to do what they ought to have done on the night of the Riot, they themselves on their oath substantially admit. McIsaac, though present in the Church during the greater part of the evening, where he must have seen and heard the noise and confusion which prevailed, admits that instead of remaining to endeavour to preserve the peace, he hurried to his home. He admits further that even after he had heard that Mr. Goodfellow was struck, he did not leave his house to assist in quelling the disturbance.

McLellan acknowledges that during the time Chiniquy and Goodfellow were passing from the Church to Cameron's house, which must have been the time of greatest danger, he did nothing to stop the Riot.

McGillivray admits on his Cross-examination that he might have tried to do more than he did, and in his direct testimony acknowledges that when he saw that the crowd about the door of the Church would not be advised by him, he made up his mind, that he would not do anything more, and that he did nothing more, till after Chiniquy and Goodfellow got into Cameron's house.

That these Magistrates said what was improper is also clearly proved. At least two witnesses testify that after McIsaac received Chiniquy's answer in the Church he retorted, "You can't answer my question, and the sooner you leave the better."

Several witnesses who swear that they did not see McLellan do anything to quell the Riot testify that they heard him at the time that it was in progress lay the blame of the disturbance on Chiniquy. In different places, and at different times, once while the crowd were in the very act of throwing stones, he was heard saying, "It's a pity that that man came here to raise disturbance."

It is against McGillivray, however, that the most damaging evidence was given. The most that even his own statement, and the witnesses called in his defence, prove in his favor was, that before the ministers left the Church, and after they had got into Cameron's, he reasoned with the crowd and advised them to go home. During the whole time that they were on the street and in the hands of the mob, though he followed the crowd closely, he did nothing to prevent their violence, and it would appear from his own testimony that at the very time that the Riot was at its worst, he was accusing the Protestants of bringing "that blackguard here to raise disturbance." Quite a number of witnesses testify to hearing him employ language substantially identical with that which in his affidavit sent to the Government he denied having used. White swears that he heard him say "You brought a blackguard of a man down to insult and abuse us, and now

take what you get." Eadie testifies that he said to him "You brought a blackguard of a man into the place and now you may put up with it." Thomson swears that at the very time that the crowd were throwing stones he heard him say, "Let them take it for bringing such a rascal down. They have brought it on themselves." Robertson affirms that some ten or twelve minutes before the congregation came out of the Church, which, according to McGillivray's own statement, would be about the time that he was reasoning with the crowd outside to induce them to disperse, when he told McGillivray he ought to try to prevent the crowd from making disturbance, he replied "They brought it on themselves let them take it." Whidden states that after McGillivray had received a communication from the Attorney General, in the course of conversation with himself, McGillivray had told him that on the night of the Riot he had said to some person who had suggested, that he ought to get the priest out, "You brought it on yourselves and you must take the consequences."

In view of such testimony as this, the public will probably agree with the Presbytery in thinking that the charges against all the accused Magistrates have been substantially sustained, and that especially in the case of Mr. McGillivray the evidence that he was in sympathy with the Rioters, and countenanced their lawless demonstrations against Goodfellow and Chiniquy, is conclusive, while the proof that his statements in his affidavit sent to the Government was untrue, is altogether indisputable. It is not unlikely, moreover, that they will now estimate at its true value the certificate of character given the accused by the Magistrates of the County of Antigonish, at the meeting of the Court of Sessions, in January last. In view of the charges preferred against Messrs. McGillivray and McLellan, by the Presbytery of Pictou, the following Resolution was moved, passed, and sent to the papers for publication:

Whereas, accusations have been made, and charges alleged against two of Her Majesty's Justices of the Peace for this County, which impugn their integrity as Magistrates, and their conduct as citizens;

And whereas, those charges have been transmitted to the Local Government, with a view to depose the two Magistrates aforesaid, viz., Archibald McGillivray and Hugh McLellan, Esquires;

Therefore resolved, that an expression of confidence in the integrity, efficiency, and impartiality of the said two Justices of the Peace be made by the General Sessions of the County of Antigonish.

Antigonish, January 14th, 1874.

Passed unanimously

JOHN McDONALD,
Custos.

Probably the very Magistrates who were guilty of the impropriety of voting for such a resolution, at such a time, and with such an object will not themselves regard it with supreme satisfaction when they read

it again under the light of the evidence which the investigation before the Government Commissioner elicited. Be that as it may, the Committee who have been entrusted with the management of this business are thoroughly convinced, that the country at large will share with the Presbytery of Pictou the satisfaction which they feel, that the Government have so fairly and fully investigated the charges preferred against the accused Magistrates of Antigonish.

But while the Presbytery cannot but express their gratification at the course pursued by the Government in ordering the investigation into the conduct of the Magistrates, they very much regret that they have declined to deal with the rioters also. At the outset, the Presbytery took the position which they still maintain, that it was the duty of the Government in some way or other, to "take such measures, as were best fitted to bring the rioters to justice, to prevent the repetition of such outrages in future, and so to conserve the civil and religious rights of our ministers and people.' It was under this conviction that they appealed once and again to the Government, to move in the matter for the purpose of vindicating the rights of free speech and liberty of assemblage and worship, which had been so wantonly assailed. From the outset, however, the Attorney General felt disposed to regard the case as one of private assault, rather than as a public riot. He insisted on an information being laid under oath by an aggrieved party, before any steps could be taken in the matter. All along he endeavoured to throw the burden of the initiation of proceedings upon private parties, instead of assuming it as the first law officer of the crown in the Province. The contention of the Presbytery from first to last has been, that the Riot itself was clearly a case which demanded the direct interposition of the Government. They are ready to admit that if the disturbance had been a mere private assault upon Mr. Goodfellow, they would at once have accepted the doctrine of the Attorney General, and consequently have left it with the party immediately aggrieved to deal with as he pleased. But they conceived that there was the widest possible difference between a private assault made by one man upon another, and an uprising of hundreds of people against a small minority in a community, for the purpose of preventing them by brute force from quietly exercising their rights, and peaceably engaging in the discharge of their religious duties. Consequently they held that there was as great a difference in the way in which the cases should be treated. They saw that the injured parties themselves were powerless to convict the rioters. They believed that the efforts of any private persons to secure justice by a process at law, would likely issue in failure. Hence the urgency and frequency with which they appealed to the Government. It seemed to them moreover that there was a very simple way by which the Government could gain the desired end. They believed that the Magistrates of the county, the

Commissioned servants of the Government, should at once have instituted a searching investigation for the purpose of discovering and bringing to trial and punishment as many of the offenders as could possibly be discovered. They held that when they neglected to perform this duty, the Government should at once have instructed them to attend to it, and in this way have made it clear that they hold their Justices of the Peace responsible for the preservation of the Peace, within the bounds of their jurisdiction. They were fully persuaded that if a magisterial investigation had failed to elicit any information which would have fastened the outrage upon the guilty parties, the Government should have offered a reward for the detection of the criminals. They were convinced that besides this, the Government might very properly have interrogated every magistrate in the County as to his knowledge of the Riot, and in every instance in which they knew anything about the disturbance, that they might have questioned them as to the part which they had acted in connection with it. They believed that the positions which they maintained as to the duty of the authorities, could be defended equally by argument, eminent legal opinion, and the general practice of Governments in civilized countries. They were certain that they could appeal to precedents in the history of both Great Britain and the Colonies, which would substantiate all the leading positions which they maintained. Accordingly, without entering into any argument, or quoting legal authorities, or referring to the practice in other countries, they would direct the attention of the public to two or three precedents, drawn from the history of the Province of Nova Scotia itself, the applicability of which can scarcely be disputed.

In the year 1829, Mr. John A. Barry, member of Assembly for Shelburne county, subjected himself to the discipline of the House. He was first suspended for refusing to make an apology dictated by the House. He afterwards published a violent letter in which he charged the Committee which had been appointed by the House to consider his case, with deliberate falsehood, and attacked individual members. He was immediately summoned to the bar of the House, and ordered to be imprisoned. While in the custody of the Sergeant-at-Arms, on his way to prison, he was forcibly rescued by an excited crowd. A number of members, on their way to Government House to dinner, were riotously assailed by the mob, and pelted with snow-balls, mud, and stones. Only one of their number however was injured. *He received a severe cut on the head with a stone.* The rest were more frightened than hurt, and most of them sought refuge in the houses of the citizens, until the Military had suppressed the disturbance.

Now what was the course pursued in that case? Were the insulted and injured members told to go and lay an information under oath before a

magistrate, or the Grand Jury, as the essential preliminary to action?

The House, with a due regard to its own dignity, and the safety of its members, embraced the earliest opportunity of passing the following Resolution:

Resolved unanimously, that the sum of five hundred pounds be granted for the purpose of defraying the expenses of offering rewards for, and procuring the discovery of, the offenders guilty of the riotous and gross insults and of the infamous assault and personal violence committed upon the members of this House, *and also towards defraying the expenses of prosecution and bringing to condign punishment the authors, parties, aiders, and abettors of, and in, the said outrages*—the said sum to be placed at the disposal of His Excellency the Lieutenant Governor, for the purpose aforesaid, and further for defraying the expenses of prosecuting the parties engaged in the late rescue of Mr. Barry from the officers of the House."

But other parties besides the House took action The Custos at once summoned a Special Sessions of the Magistrates of the city, and immediately thereafter sent the following communication to the Speaker:

HALIFAX, 13th April, 1829.

SIR,—The Magistrates of the town of Halifax, now assembled in Special Session for the express purpose of inquiring into the shameful riot which disgraced the town on Saturday evening last, beg leave to express to you, Sir, for the information of the Honorable House, their indignation at the insults offered to its members.

The Magistrates are now engaged examining witnesses, and will take every step in their power, to bring to punishment the aiders and abettors of that violent outrage.

I have the honor to be Sir,
Your most obedient and humble servant,
JAMES FOREMAN,
Custos.

To S. G. W. ARCHIBALD, ESQ.,
Speaker the Honorable the House of Assembly.

But even this is not all. The Supreme Court for Halifax held its sitting shortly after, when Mr. Justice Haliburton, afterwards Chief Justice, in his charge to the Grand Jury, at the opening of the Court, told them that "although it appeared in the Sheriff's Calendar that no prisoners were in custody, whose cases required any particular instruction from the Court, yet he regretted that it was not in his power to congratulate them at the commencement of this term, as he had done at the last, upon the orderly state of the community.

The disgraceful scenes which took place on Saturday evening, when a prisoner in custody of the Sergeant-at-Arms of the House of Assembly had been rescued from that officer, and the outrages committed upon the members of that House after they left the Province Building, called loudly for the serious investigation of the Grand Inquest of the County."

His Honor then explained to the jury the nature of the evidence which they would require before they found a Bill for a Rescue, and afterwards turned their attention to the riotous conduct of the mob towards the members, which he said "could not be too severely reprobated." He did not "know *whether the Crown lawyers had procured sufficient evidence to enable them to proceed against any of the persons concerned for a Riot*, or to indict them for the Assault upon the individuals. *The transaction itself would admit of either course if the guilty parties could be discovered.* Such outrages committed upon the members of the Legislature, strike at the very foundations of society, and were most disgraceful to the community" He was "sure that all friends to decency and order participated in these sentiments. The respectability of the characters of those who composed the Grand Jury was sufficient pledge for the diligent discharge of their duty on this occasion, and he had no doubt that they would proceed upon the investigation, with an equal regard to the liberty of the subject, the dignity of the laws, and the preservation of the Public Peace."

The Presbytery presume, that it will scarcely be questioned that this precedent is in point. Any person can perceive at a glance that it covers almost the whole ground. The resolution of the House of Assembly which happened to be in session at the time of the "Barry Riot," indicates with sufficient clearness the duty of a Government, entrusted as it is with executive powers during the interval between the Sessions. The prompt action of the magistrates of Halifax county in 1829, rebukes by its refreshing energy and decision, the unworthy conduct of the magistrates of Antigonish in 1873. From the precedent cited it would appear that there have been times in the history of Nova Scotia, in which neither magistrates, Crown Lawyers, nor even Judges seem to have been prevented by mere technicalities from taking prompt and vigorous steps in a case where a notorious breach of the Peace had been committed. All the Administrators of Justice, from the highest to the lowest, seem to have been animated by a common impulse to vindicate the majesty of the law and to preserve the Public Peace.

But the Presbytery would refer to a precedent which indicates the duty of the Government in dealing with Magistrates, as well as rioters, in cases in which those officials fail to suppress a Riot, or to endeavour to discover and punish the Rioters, or to take steps of their own accord to prevent a repetition of breaches of the peace. It is furnished by the action of the Provincial Government in 1845, in connection with the Election Riots in Pictou. The Hon. J. W. Johnson, at that time Attorney General, and afterwards Judge in Equity, addressed the following circular to each of the Magistrates of the county :

HALIFAX, 13th April, 1845.

SIR:—It having appeared from the return and examination of the Sheriff in the case of the recent ineffectual attempt to return a member to represent the Township of Pictou, that the Election was defeated by the violent exclusion from the Hustings of Free-holders entitled to vote, *and that no exertions were made by the civil authorities to prevent or repress the outrage*, I am commanded by His Excellency the Lieutenant-Governor *to make a strict inquiry into the facts with a view to the prosecution and punishment of the parties* immediately concerned in this invasion on the rights of the electors, or *who by neglect to exercise their legitimate authority, or by any other means may have participated in such outrageous act.*

I deem proper in the first instance to apply to such of the Justices of the Peace to the county of Pictou, as may have been present in the town of Pictou, on Thursday, the 20th day of March last, when the polling suspended, and the Election defeated by the entry of Mr. Fraser's supporters into the place allotted by the Sheriff for Mr. Wilkins' voters. I request to be informed by you whether you were in the town on that occasion, and that you will furnish me with the names of the several individuals, concerned in planning, aiding in, and effecting their entry, or otherwise disturbing, or deranging the order of the Election on that day, as far as came under your observation at the time, or you have since ascertained

I also beg you to communicate to me for His Excellency's information *a statement of the means you used for repressing and preventing this interruption of the Election, or the reasons which may have prevented you from adopting effectual measures toward that end.*

I solicit your early reply and have the honour to be

SIR,

Your very obedient servant,

J. W. JOHNSTON,
Attorney General.

To , Esq.,
J. P. for the County of Pictou.

The same doctrine is laid down with equal clearness and decision in a document addressed to each of the Magistrates of the County by the Provincial Secretary a few days later, in prospect of another Election. Sir Rupert DeGeorge in that circular says:

"As a third example of successful vi nce in a matter which concerns so deeply the peace of society, a the liberties of the people, would not only further affect the reputation of the Township of Pictou, but would be accompanied by influences most baneful to the general welfare of the Province, His Excellency, should such a contingency unhappily occur, would feel it his imperative duty to meet the emergency with the most energetic measures in his power, and his attention would be directed not more to those whose violence had been the immediate cause of the wrong *than to those who being clothed with authority for the preservation of the Peace had failed adequately to use it on an occasion so earnestly demanding their most zealous exertions.*"

It is believed that these precedents amply sustain the position taken by the Presbytery in reference to the duty of the Government. They

indicate with sufficient clearness not only the duty of all magistrates, to exert themselves to the utmost to suppress riotous breaches of the Peace, but also the duty of the Government promptly to call them to account if they fail to do so. If, as the Attorney General has stated, "the inability of the Government to constrain parties to appear, either as informers or as witnesses before any tribunal that they might create, influenced them in declining to institute an investigation into the conduct of the rioters by the appointment of a Commission, no such objection could have been urged against their instructing their magistrates to make inquisition with a view to the discovery, prosecution, and conviction of the criminals. The public will probably be of opinion that if Attorney General Smith, in 1873, had exhibited the same decision and energy in vindicating the rights of peaceable citizens, as was manifested by Attorney General Johnston in 1845, the magistrates of Antigonish, who were present during the disturbance on the night of the Riot, would have been immediately called upon to give an account of their efforts for the preservation of the peace on that occasion; and the Court of Sessions for the County, would have felt themselves constrained at their first meeting after the Riot, to do something more in keeping with their character as magistrates, than the passing of Resolutions designed to exercise an influence in rendering unnecessary an investigation into the truths of the charges brought against some of their number. But no such inquiry was made. No such instructions were given. The whole burden of initiating proceedings was laid on other parties, so that the Presbytery of Pictou, in vindication of the rights of their people, have been under the necessity of doing what the Government ought to have done, unless the rioters had been allowed to escape with impunity.

As soon as the Government had positively refused to take any steps against the rioters, the Presbytery felt themselves constrained to reconsider the possibility and propriety of their taking any further action in the case. At that time it had become apparent that it would be necessary for their Committee to proceed to Antigonish, in connection with the investigation of the charges against the magistrates. Since their Counsel would be present at the same time, and as they were fully persuaded that an investigation would serve a most useful purpose, even if they should fail to convict the Rioters, they resolved to instruct Mr. Goodfellow at once to lay an information, so that a preliminary examination might be held before Justices of the Peace, as soon as possible after the investigation into the conduct of the Magistrates was completed. At a meeting of the Presbytery held in New Glasgow, February 17th, 1874, the following resolution was passed unanimously:

"It was agreed, in accordance with the advice of W. A. Johnston, Esq., the Committee's Counsel in the case, to instruct the Rev. Mr. Goodfellow to lodge a complaint before two magistrates, against the Rioters, at the time when the Government Commissioner should hold an investigation into the conduct of the Magistrates complained of."

Accordingly on the recommendation of the Committee an information was laid by Rev. Mr. Goodfellow and James Burnside, elder, against certain parties for assault and riot.

The following is a report of the evidence taken in the case:

THE QUEEN *vs.* McPHERSON AND OTHERS.

In Re Antigonish Riot.

PRELIMINARY EXAMINATION CONDUCTED AT ANTIGONISH, MARCH 6TH AND 7TH, 1874, BEFORE A. D. HARRINGTON AND W. B. CUNNINGHAM, JUSTICES OF THE PEACE.

On an information laid by James Burnside, Esq., against Daniel McPherson, Daniel McDonald, John McDonald, Painter, Stephen McKinnon, Alexander Smith, John McDonald, Merchant, George Roche, Thomas O'Brien, and Angus McDonald, for Riot. W. A. Johnston, Esq., Counsel for the Prosecution; Angus McIsaac and John McKinnon, Esqrs., Counsel for the Defence.

Rev. Peter Goodfellow Sworn:

Am the Minister of the Presbyterian Congregation of Antigonish. *Rev. Mr. Chiniquy was sent by a Committee of the Synod of P. C. L. Provinces to visit Antigonish and other places in the Province.* Did not come here at my request. Arrived here on the 9th July, 1873. Came to lecture on "The Kankakee and Acadia Missions" and to collect funds. This had been announced on the Sunday previous in our Church. At 7½ o'clock, P. M., on the 10th July, the service commenced. Mr. Chiniquy was there. Service commenced with devotional exercises conducted by myself. He then commenced his Lecture.

After he lectured for some time there commenced a series of noises inside and outside the Church. The bell of the Church was rung, and also of the school house, two or three times There was shouting outside, and some cries inside such as "you lie." At times it was difficult for Chiniquy to speak or for the audience to hear. Audience composed partly of Protestants and partly of Catholics. The congregation was dismissed. Some person came and told me, he thought there was going to be trouble, and I asked some half a dozen of my congregation to remain and accompany us home. We remained for some time, and another person came and told us that there was a crowd outside waiting for us. I went out and asked them to disperse. They refused to do so. We waited a few moments and then I, Mr. Chiniquy, Mr. Trotter, Mr. Burnside, Mr. McMillan, and some two or three others came out. As we came out of the church, those who were in the porch went out before us, and joined the crowd outside. As near as I can tell from fifteen to twenty minutes had elapsed between the time that the congregation was dismissed, and we came out.

There was a large crowd outside in front of the church, and extending up and down the street. A few moments after we got out on the street, some of the crowd commenced throwing gravel and eggs. I was struck with gravel and eggs, and I know that Mr. Chiniquy was struck with eggs. After proceeding a few steps stones began to be fired. A good many stones were thrown. I was struck about half a dozen times with stones. Mr. Chiniquy was also struck several times with stones. Mr. Burnside also fell at my side. My hat was knocked off, and when it was off, I received a severe blow on the crown of the head with a stone. It cut and bruised my head and incapacitated me for duty for a week or ten days. We were pursued up the street as far as Mr. Cameron's house, in which we took refuge. The crowd continued to follow us firing stones until we reached Mr. Cameron's house. As we were entering the house, stones were thrown at us, and some were fired after we got in against the house. Some of the stones broke the windows. We went to the back of the house. The crowd came round there, when we put out or removed the lights, and went up stairs fearing, they would break in upon us. Dr. McDonald was sent for to dress my wounds, he came and did so.

As near as I can recollect, I left Mr. Cameron's house about one o'clock on the following morning. Saw people on the street, when I left the house, some on the opposite side of the street, and two or three were sitting on the platform of the adjacent store and others further up the street. One person made a demonstration, I suppose against me, but we were not struck. I do not think that Mr. Chiniquy would have reached the manse alive, if he had not taken refuge in Cameron's house. I was in terror and the riot was sufficient to create terror and alarm. I went into Cameron's house for my own protection and for the protection of Mr. Chiniquy. After I got in, I was afraid that the doors of the house would be broken open, and Mr. Chiniquy's life be taken. I should think that the crowd consisted of not less than from 250 to 300 people at the least. I have been subpoenaed. These proceedings are instituted at the instance of the Presbytery of Pictou.

Cross examined by Angus McIsaac, Esq.

Was disappointed that Mr. Chiniquy did not confine himself to the subject announced. Made the subject announced a secondary part of the Lecture. It formed the last part of his lecture. Doctrines of the Church of Rome formed the first part of his discourse. If a priest of the Church of Rome had preached in his own church against our religious views in the same manner as Mr. Chiniquy spoke of the doctrines of the Church of Rome on that evening, our people being there to hear him, they would never have lifted a hand against him or thrown an egg, or a stone. Previous to that night, I would have expected the same orderly conduct on the part of the Roman Catholics of Antigonish. Never saw my own congregation tried under similar circumstances. Chiniquy spoke twenty minutes or half an hour as near as I can judge before any disturbance took place. Understood that a good many Protestants disapproved of Chiniquy's departure from the subject as announced. Mr. Chiniquy stated that Priests and Bishops are bound under oath to exterminate heretics, and supported his statements by extracts from Thomas Aquinas, and the Bishop's oath. Do not know of any Protestants who do not believe that Priests and Bishops take an oath to prosecute heretics. When I first went

out to disperse the crowd. I received no personal insult. There was a large crowd on the street, when I went out. I believe a large part of my congregation went immediately home. Chiniquy, I believe was very serious ly hurt. Receiving one very severe blow between the shoulders. The Doctor did not attend to Chiniquy. Some persons did minister to his wounds. The Doctor did not go to the house but once. Believe that there are some four or five windows in Cameron's House, one window was broken.

W. J. White sworn :—I attend here under subpœna. Was present on the evening of the 10th July during the riot both inside and outside the church. I saw John McDonald, painter. He was making considerable noise inside the church, in the aisle: shouting, clapping his hands, and noisy chiefly all the time. I saw also Daniel McDonald, yeoman. Saw him in the church with a stick in his hand, which I took to be an axe handle. Saw him again on the street with the same weapon. He was then with the crowd on the same sidewalk as Mr. Chiniquy and Mr. Goodfellow. Was going along with the crowd.—Saw Daniel McPherson, picking up what I believe to be a stone. He ran along the sidewalk towards Messrs. Chiniquy and Goodfellow exclaiming "Let us have the old buggar."

Cross-examined by Angus McIsaac, Esq.

John McDonald, painter, was shouting loudly, when I first saw him. Shouted frequently. I was watching the parties shouting. John McDonald was the man. I noticed shouting first. After the lecture was over, I went out to go home. Did not go home. On returning, I saw Daniel McDonald in the porch. Think that there was a lamp, but am not certain. Saw an axe-handle in his hand, but he was doing nothing. Both the church doors leading to the aisles were open, and there was a light inside. Was standing in the centre of the porch. Saw a man, that I took to be him afterwards on the sidewalk. Ca...not tell who were with him, when I saw him outside. Judge that it was him from his having a weapon and from the style of the man. He has but one hand. Don't remember of seeing any of the rest of the accused with him in the porch. Met Miledge Reynolds in the porch with him. D. McDonald was not far from Chiniquy and Goodfellow. Don't mind whether they were Protestants or Catholics, who were with him. Saw Daniel McPherson near Robertson's saloon. Did not know who were with him. Was walking on the edge of the street, while he was walking on the sidewalk. After he had stooped down to pick up what I thought was a stone, he held it in his hand raised. Can't swear positively as to what it was in his hand. Can swear that it did not resemble a parcel such as would be purchased in a store. The only proof that I can give that it was a stone is, that it was dark and had the shape of a stone. Did not see him do anything further. Did not see him again that evening. I then stepped in between him and the clergy. Followed them to Cameron's house. Did not see any of the accused throw stones that night. Did not see them attempt to hurt any one that night further than that McPherson ran after them crying out, "Let us have the old buggar." Think that the worst part of the riot was between the saloon and Cameron's. I judged that the mass of people on the sidewalk, who followed Chiniquy and Goodfellow were rioters. Watched closely after Burnside was struck down.

Re-examined by Mr. Johnson.—The conduct of the crowd was such as to excite terror and alarm. I felt uneasy.

Cross-examined by John McKinnon, Esq.

Was most terrified, when the crowd came round the Ministers.

J. B. Gass, sworn.—Was subpoenaed to attended. Was on the street on the 10th July. Was also in the church. Came out of the church about five minutes after the rest. Saw a crowd of people outside the church door after coming out. At that time the ministers had not come out, about a quarter of an hour after me the ministers came out. I soon heard Mr. Goodfellow say "Shame upon you to strike down an old man like that." Then I crossed over the street, and got in among the foremost of the crowd, that was following the ministers. Went up the sidewalk among the foremost of the crowd, saw a young man come out of the crowd, and nearly abreast of the ministers, raise his hand, and threw a stone, which struck Mr. Goodfellow on the head His name is Alexander Smith of Hallowell's Grant. Previous to this Mr. Goodfellow's hat had been knocked off. I saw Daniel McDonald, laborer. He took me by the collar, and struck me two or three times on the face, and several others struck me whom I don't know. Was assaulted again same night, at Ben Power's house. At the college, a crowd of about 50 were standing. Daniel McDonald came out of the crowd, and struck me, at least half a dozen times. Daniel McPherson also struck me. These men were of the crowd, who closed round me. I was alone with the exception of two friends. Heard a stone strike Mr. Chiniquy. Think the crowd that followed the ministers numbered about 200. The crowd created terror and alarm. Saw and heard Stephen McKinnon screeching in the church.

Cross-examined by A. McIsaac, Esq.

Did not see Stephen McKinnon except in the church. At the time that Daniel Macdonald attacked me, he had no weapon in his hand. Hugh McDonald, shoemaker, a Roman Catholic, came to my rescue. Did not see Daniel McPherson do anything else that night. Did not see Daniel Macdonald do anything else that night. When Daniel Macdonald first attacked me I cannot say to my certain knowledge that any of the rest of the accused were with him. The second time that Macdonald attacked me, there were none of the accused present except D. McPherson. Alexander Smith had a stone in his hand, when I first saw him, he was about ten feet from me. Swear positively that it was a stone nearly as large as my fist, after being thrown it rolled back, and I saw it. Smith was not over ten feet from Mr. Goodfellow, when he threw the stone. Mr. Goodfellow was walking along. Think that this was the stone that hurt him so severely, as it knocked him down. Struck him on the back of the head. At this time did not see any of the rest of the accused with him. After having thrown the stone, he fell back into the crowd.

Charles Joselyn sworn:

Attend under subpoena. Was on the street on the evening of the 10th of July last. Saw Daniel McDonald strike Mr. Gass. Saw him strike him several times afterwards. Heard shouts such as "Bring

him out." Heard some shouts to the effect, "Let us kill him." Think I saw Angus McDonald in the crowd. We were opposite to the ministers. Angus was in the crowd with the people, who were shouting. Saw a stone that struck Mr. Goodfellow. Think it came from behind him. Might have told White on Tuesday evening, that I thought that it was Angus McDonald who shouted, "Let us kill him." I thought that I was then telling the truth. I still think so. Saw Daniel McPherson in the crowd that night after the ministers went into Cameron's. Saw George Roche with Daniel McDonald.

Cross-examined by Angus McIsaac, Esq.

It was some time after the ministers went into Cameron's that I first met Dan. McDonald. Did not see him do anything wrong except striking Gass. He accused Gass of striking him. Did not see Dan. McPherson do anything wrong that night. Would not like to swear that I saw Angus McDonald that night, thought it was him. I say as before that I think it was he who shouted. The man that I took to be McDonald, and I were walking in the drain near the ministers. People were on the street from the church to Cameron's behind the ministers. D. McPherson was at that time living with G. Henry. John McDonald, merchant, boarded at the upper end of the town. Dan. McDonald lives up town. Geo. Roche lived in the same direction. Angus McDona'd lived in second building this side of Cameron's. John McDonald, Painter, lives up town. It would be impossible for any person, who lived up street to go to his home between the dismissal of the congregation, and the entrance of the ministers into Cameron's, without passing through the crowd. Did not see Roche do anything that night.

Robert Kirk sworn:

Attend under subpœna. Was on the street, on the evening of July 10th last. Saw Capt. John McDonald, merchant, that night. Heard him say that it was he, who fired the bullet. Was asked "Was there any pistols used. Replies "No, but there were other kinds of bullets besides pistol bullets." This was about ten minutes after Messrs. Chiniquy and Goodfellow took refuge in Cameron's. Said this about opposite Mr. McKenzie's house. Did not hear him say anything else about this at any other time.

Cross examined by Angus McIsaac, Esq:

Don't know who was with him at the time, that he used this language. Was near the drain, was not more than five feet from him. I was then talking with him, but a crowd round. I think he was the nearest of the group. I remained there about five minutes. Don't know who he spoke to, think it was James O'Brien who asked him "were there any pistols used." Would not be sure. Think that he was one of these. I did not know.

Charles Campbell Sworn

Was in Antigonish on the evening of the 10th July. Saw Dan McDonald in the porch of the church. He had a stick in his hand going round making a noise. It was a common sized stick. Saw George

Roche. Saw him knocking down Mr. Burnside. Think he struck him with his hand. This was at Thomson's corner. The ministers were at that distance in advance. The crowd was following them. Think that the crowd was between two and three hundred. Saw stones fired. Did not see them strike any one. Stones came from the crowd following ministers. He came out of the crowd when he knocked Burnside down.

Saw the ministers when they took refuge. Heard stones fired against the house. Did not continue very long. Did not see Roche do anything else that night, nor any of the rest. Saw Dan McDonald again in front of Cameron's house, after the ministers had gone in. Had not the stick in his hand then. Was going to fight with some one, think it was McPherson.

Cross-examined by Angus McIsaac, Esq.

Think it was about ten o'clock when I saw McDonald in the porch. The congregation was coming out. Perhaps six or eight in the porch when I saw him. Knew some of them. Only two Protestants that I remember. He was running back and forth, now and then hooting. Congregation were out except a few round the pulpit. Stick was more the size of an axe handle than a cane. Passed very near him. The porch was light from the church. Two persons standing at western inside door. Noticed that the other inside door was open but was not sure whether or not any one was standing there. Did not see him threaten any person. Did not see any of the rest of the accused parties in the porch with him. Thought that McDonald and McPherson were going to fight with each other near Cameron's house. Did not see anything more of him that night. Think that there would be two hundred or so following the clergymen, including both street and sidewalks. Should suppose that there were quite a number of them not taking part in the riot. Would have to go through the crowd to get to my place of business. Some of the congregation remained at the door of the church after they came out.

Was on the sidewalk just behind Mr. Burnside. Saw Roche rush at him and swear that he knocked or threw him down. Kirk and I ran up to him and shoved him on ahead. Heard some one say, "It's a shame to knock an old man down." Think that Mr. Goodfellow made an attempt to turn back but somebody stopped him. Do not think that Burnside was in company with the clergy after that. Think Burnside was alone when he was knocked down. Did not notice any of the accused with Roche that night.

William Cunningham Sworn :

Was in the church the night of the riot. Stephen McKinnon was one of the parties making a disturbance. He was shouting and clapping his hands. Saw George Roche outside. Heard him make a remark, and somebody say, "Burnside is killed." Roche jumped off the sidewalk against me, exclaiming, "I have fixed the old Buggar." Heard stones fired against Cameron's house after the ministers went in.

Cross-examined by Angus McIsaac, Esq.

McKinnon was near the door when I noticed him. I sat four pews

from the pulpit. Was watching the crowd perhaps fifteen minutes. Shouted loudly. Had his mouth open wide enough to shout loudly. Said that he "fixed the old Buggar," but did not say who the party was.

Valentine Chisholm Sworn :

Saw Dan McDonald, John McDonald, Painter, Dan McPherson, Thomas O'Brien, on the evening of the riot. Heard Dan McDonald say once, "Pull him out." He was inside the church door about the latter part of this meeting. Heard the stones fired against Cameron's house.

Cross-examined by Angus McIsaac, Esq.

Good many people in the porch. Could not say that there were Protestants there. Plenty of light to see people in the porch. The congregation went right away as they came out. Saw some Protestants on the street.

James O'Brien Sworn :

Am a Policeman. Heard disturbance early in the evening, between 8 and 9 o'clock. Heard a noise down towards the church. Did not do anything then. Went on the street shortly after the ministers came out. Heard stones fired against the building after the ministers went in. Might have been half a dozen. Heard a pane of glass break. Did see Daniel McPherson throwing a stone after the ministers got into Cameron's house. Pretty large crowd. Was pushed back out of the crowd. Was advised for my own safety not to take any part in it.

Cross-examined by Angus McIsaac, Esq.

Kept abreast of the clergy as they walked up the street. I was alarmed at first that some damage would be done, but in fifteen or twenty minutes after the ministers went in all was quiet. Don't remember of seeing Capt. John McDonald that night. Never heard the words attributed to John McDonald till to-night.

Re-examined by Mr. Johnson.

I refuse to say who it was that told me not to rush into danger. The man was opposed to the riot.

Hugh McDonald Sworn :

Took Gass away from the crowd, where he was assailed. Knew that he was struck. Saw some blood on his face. Think I heard stones fired against Cameron's house. Saw Daniel McDonald and Daniel McPherson on the street in the crowd. Saw them after the ministers got into the house. Saw Daniel McDonald making an offer to strike a man.

Archibald A. McGillivray, Esq. Sworn :

Heard John McDonald, (Capt.) but not the accused, say at the door

of the church, "Bring him out." Saw Daniel McPherson on the night of the riot, I think at Cameron's house, but did not see him do anything. Saw John McDonald, Painter, at the Church door talking with the rest. Saw Stephen McKinnon inside the church clapping his hands. Saw him again up street near where he lives. Saw Capt. John McDonald on the street. Did not see George Roche. Think I saw Thomas O'Brien.

James Eadie Sworn:

Was in Antigonish on the evening of the riot. Was at the church. Saw some of the parties who made the disturbance. Saw John McDonald, Painter, there. He was inside the church door, screeching like, making a noise. Saw Stephen McKinnon. He was very much excited, screeching too.

Saw Daniel McDonald in the porch with a stick in his hand. It was not a walking cane. Saw Daniel McDonald afterwards. He was in a crowd opposite Cameron's house. He struck me there then. Was a pretty large crowd there. Saw D. McPherson throwing a stone at Cameron's house a little while after the ministers had gone in. A good many stones fired against the house. Saw a pane of glass broken. Before I went into the crowd some one told me that it was D. McPherson who was throwing stones. Went to D. McPherson and said, "Dan I want to speak to you." He said he would not. It was either Wm. Cunningham or Mortimer Cunningham that told me. Almost immediately after I asked McPherson to speak with me, I went out of the crowd and he followed me with Daniel McDonald and some others. McPherson asked me what I wanted. I told him, "It's a shame for you to be pelting stones at the house, come away." At that time Daniel McDonald struck me.

Saw the stones thrown in the direction of the clergymen. Mr. Goodfellow was staggering, I believe from the effects of the blow and I caught him. There was a good deal of terror and alarm excited that night. I came out with the congregation and for the most part they went immediately to their homes. When I came out the bulk of the crowd were on the upper side of the gate and I had to push my way through to get out. The crowd at that time I think numbered about 200. Think it was about 11 o'clock when I started for home. The crowd was then standing in front of Cameron's house.

Cross examined by Angus McIsaac, Esq:

Was a good while in church before I noticed John McDonald, Painter. Sat about half way between the pulpit and the door. McDonald shouted and kept me and others at times from hearing the lecture. Only heard him shout once that I can swear too. The shout was after the Bells rang.

Towards the last of the lecture, I saw Stephen McKinnon. Never saw him look so excited. His noise prevented me from hearing the lecture. It was loud enough for me to hear and you too. Was ten or fifteen feet from Stephen McKinnon. There were magistrates in the Church at that time. Did not see any of the magistrates attempt to pacify McDonald or McKinnon. Did not bring the conduct of McKinnon or McDonald to the notice of any magistrate in church.

Saw McDonald passing through the porch.

I, Dan. McDonald and D. McPherson were on the outskirts of the

crowd when McPherson struck me. Saw the stone passing from McPherson's hand to the house. Saw it also in his hand. Was close beside him. Did not pick it up then from the ground, but had it in his pocket or about his person.

Robert Robertson sworn

Live in Pictou, but was here the night of the Riot. I was about the door of the church till the people came out.

Should imagine that it was about eight or nine minutes between the coming out of the congregation and the ministers. I followed the ministers to Thomson's corner. Stones and eggs were then being fired at them, and I went back into the crowd to see who was doing it. Saw John McDonald, Merchant throw a stone. Think it struck Mr. Goodfellow's back or head. Mr. Goodfellow was just picking up his hat when the stone struck him. Knew it was a stone because I examined it afterwards. Saw Dan. (Sandy) McDonald throw another. Did not see who it struck or where it struck. I think that the crowd numbered about one hundred. Saw a person whom I have since ascertained to be Dan. McPherson throw a stone at the door. Knew it to be a stone for I saw some of the crumbs of the stone sticking in the door afterwards.

Mr. Goodfellow's hat had been knocked off when the stone thrown by Capt John McDonald struck him.

Cross-examined by Angus McIsaac, Esq:

Was within about four feet of Capt. John McDonald when I saw him throw the stone. He was on the edge of drain. I was on this side of the drain. Did not see him pick up the stone. Saw the stone in his hand. Did not form any acquaintance with the stone. Picked it up after it struck Goodfellow. Did not examine the stone while it was in his hand, but examined it after it struck Mr. Goodfellow. Picked it up. It fell on the sidewalk. It was near Mr. Powers. Think it was between Thomson's and Power's. There was not another loose stone on the sidewalk just where Goodfellow was struck. I examined the particular stone under the moonlight. It seemed to be a new moved stone.

Some of the crowd on the sidewalk, most of them on the street. I took up the stone on the sidewalk after 8 or 9 passed up the sidewalk. I took it to be the very same stone. The stone that I saw in Capt. John's hand, and the one I found on the sidewalk were about the same size. Can't tell the particular spot where Mr. Goodfellow was when struck, but it was somewhere near Power's house. Some portions of the sidewalk in that locality had fine gravel, but no stones so large as the one McDonald had thrown.

Saw a stone come towards Cameron's house and go through the fanlight above the window. Saw only one stone strike the door. Was at this time sitting in the window of Cameron's house. From that position saw Dan. McPherson throw the stone that struck the door. That was the first time that I saw him to the best of my recollection. He was standing about two-thirds of the way across the street near the sidewalk, on the opposite side from Cameron's. Had no light in the room where I was sitting. My head was out through the window when McPherson raised his hand and I drew it in. Know the sound of a stone striking the door without experimenting. Remain-

ed there till daylight.—Quite a number of stones thrown after McPherson struck it. Can't swear that any one but McPherson struck the door. Only saw him during the time that he was moving his arm to throw the stone.

Winslow Wilkie sworn.

Was in the Church on the night of the riot. When the ministers came out, crowd followed the ministers. Saw one stone thrown at Cameron's window. It broke the window. Dan. McPherson threw the stone after the ministers had gone into the house. Noticed stones fired at the house only two or three minutes after the ministers entered. Think that I went home between 10 and 11 o'clock. Dan. McDonald came up to me and said—"Here is a fellow, I would like to get a clout at."

Cross-examined by A. McIsaac, Esq:

Think it would be about 10 o'clock, when the ministers got to Cameron's house. When I left for home, the crowd opposite Cameron's was quiet. Suppose it was about 20 minutes before I left that the crowd became quiet.—D. McPherson was standing near the middle of the street opposite Cameron's house.—Think that he was 30 feet from him when he threw the stone. Did not see or hear McDonald do or say anything besides what I have already testified. Was on the side of the street nearest the clergy from the time of the ministers leaving the Church till they got to Cameron's. Was about 30 feet from the clergy as they passed along. Did not see any one strike them with eggs or stones that night. Can't say that I saw any one struck that night. Some were shouting loudly, not many.

Duncan McDonald sworn.

Heard Thomas O'Brien say next day after the riot that Mr. Chiniquy would never have got round Whidden's corner alive if he had not taken refuge in Cameron's house.

Rupert Cunningham sworn:

Saw John McDonald, Merchant, throw stones on the night of the Riot. This was while the clergy were on the street. Fired the stone towards the clergymen from behind them. The clergymen were then between Thomson's shop and house, the crowd following. He was one of the crowd. Did not see any one else firing stones that night. Saw no one else commit acts of violence.

Cross-examined by A. McIsaac, Esq:

Was standing at John McDonald's right hand. McDonald and I were standing on the middle of Church Street. Did not see the stone strike any one in particular. Saw the stone and felt it. He took it as I thought out of his pocket. Did not stoop to pick it up. It was in his right hand. I saw something projecting from the lower part of his hand. I suppose about an inch or an inch and a half projecting. I swear it was a stone.—I put out my hand and felt it while it was in his hand. Not long after this that he threw it.

James Kenna sworn:

Was on the street the night of the Riot. Heard the noise. Saw D. McDonald in the church walking round. Saw Alexander Smith after Mr. Goodfellow passed on his way home from Cameron's. Smith jumped round and said, "I am the author of that fellows wounds." There was considerable of a crowd there at the time.

Daniel McDonald sworn:

Was in the village on the night of the Riot. Saw the disturbance. Saw John McDonald, Painter, George Roche, Dan. McDonald, Angus McDonald, and Dan. McPherson. Saw John McDonald in the Church. Was listening attentively. Heard him speak in the church. Heard him whistling. While he was whistling some outside were tramping in the porch. Heard stones fired against Cameron's house. Think that there were five stones fired, one of which broke a pane of glass.

Cross-examined by A. McIsaac, Esq:

John McDonald whistled in the church for about a couple of minutes. Saw him do nothing else.

James Burnside sworn:

Was assaulted on the night of the Riot. Was knocked down on my way home with the ministers. Received a violent blow. Fell to the ground and was picked up by my grandson. Had been struck with eggs and gravel. Commenced to assail us between the corner of the church fence and Thomson's corner. Was knocked down in the drain at Thomson's corner, (In consequence of the blow.) Remember nothing till I got to Cameron's steps.

Mr. Johnston at this stage asked the question, "whether in consequence of information which he had received since the Riot you were induced to make the charge believing them to be implicated in the Riot."

Question objected to by the counsel for the accused.

Answer. Yes.

Don't know from my own knowledge who struck me that night. After we got into Cameron's house I heard the crowd shouting "Chiniquy Hotel," "Chiniquy Hotel." The ministers were in the house before me. Heard stones fall upon the house. Was afraid that they would break in. Was very much alarmed. Have been upwards of forty years in Antigonish and never was struck before. Felt the effects of the blow for some time afterwards. Think it was about one o'clock when I went home. A good deal of yelling about Cameron's, while we were within.

Cross-examined by John McKinnon, Esq:

Don't know of my own observation who struck Goodfellow, Chiniquy or myself.

Nathan Pushie Sworn.

Was here on the night of the Riot. Was in the church. Shortly after the meeting commenced there was a great hubbub and we could hear nothing for a time. Passed through the crowd after coming out alongside of Mr. Goodfellow who asked me to walk behind him. He had been several times struck by stones before that on the back. Mr. Goodfellow was near Cameron's when he received a severe blow. The first stone knocked his hat off, and the next struck him on the back of the head. These stones were thrown from the sidewalk on the Southern side of the street in the neighbourhood of the drain.

Saw Dan. McPherson. He came up to us inquiring for James Eadie. Said he would find him if he had to go to hell for him. There was a great noise but I heard no threat.

Cross-examined by A. McIsaac, Esq:

Mr. Goodfellow was near Cameron's house not far from Roderick McDonald's. That was the time that he received the blow that hurt him so seriously. Was close to Goodfellow and saw the stone. The stone came along the Southern sidewalk. The stone which hurt Mr. Goodfellow so severely passed over my left shoulder. We were going up street towards Cameron's house.

Mortimer Cunningham sworn:

Was in the village on the night of the Riot. Saw Dan. McPherson throw a stone at Cameron's house. It struck about the front door. Saw Dan. McDonald that night. Saw him strike James Eadie after he called McPherson out of the crowd.

After the examination of these witnesses and the pleadings of the counsel on both sides, the parties accused, with the exception of Alexander Smith, who had not been arrested, were then brought into the immediate presence of the Magistrates, and after being told that they were not bound to criminate themselves were asked what they had to say to the char brought against them.

They all pleaded " not guilty."

They were then admitted to Bail to stand their trial at the first term of the Supreme Court, amount of Bail $80.00 each with two securities of $40.00 each.

Besides the information laid by Mr. Burnside against the above mentioned parties for Riot he also filed another against Geo. Roche for assault. Mr. Goodfellow too laid an information against Capt. John McDonald, Merchant, and Alex. Smith for assault. The preliminary examination was conducted before two magistrates in the Court House on the evening of the 1st March just after the other had been closed. As the evidence is substantially the same as that already reported in connection with the Riot, it is unnecessary to repeat it. Smith had not been apprehended, but McDonald and Roche were admitted to Bail to stand their trial on this charge also at the next term of the Supreme Court.

At this stage the matter rests at the present time. The object of the Presbytery in issuing the foregoing statement is, that the public may be put in possession of all the facts of the case, and thus be in a position to judge of the propriety of the course pursued both by the Government and themselves. They have instituted the process at Law with no very sanguine anticipations of success. They are not afraid of failure from want of evidence, but from those very peculiarities of the situation which induced them to hesitate so long about commencing a prosecution. Already their fears, as to the treatment to which their witnesses would be subjected, have been partially realized. One of them was pursued on the very night that the examination terminated. Another had the windows of his saloon broken on the same night. Within a few days the cowardly act of breaking the windows was again repeated. The Presbytery however are fully persuaded that notwithstanding the numerous and harrassing annoyances to which their people in the mean time may be subjected, a searching investigation into all the circumstances of the Riot, accompanied by the publication of the evidence to the world, will serve a valuable purpose even if the Grand Jury of the County refuse to find a Bill of Indictment or a Petit Jury a verdict of guilty.

Already, and since the preliminary examination, they have heard with much satisfaction, that the Bishop has publicly in the chapel severely denounced the conduct of the Rioters, and expressed his hope that the guilty parties would be brought to punishment.

In closing this statement, the Committee on behalf of the Presbytery of Pictou, wish to express their sense of obligation to all who have co-operated with them in their efforts to vindicate the rights of their people. Their thanks are due, not more to the Presbyteries of the Presbyterian Church Lower Provinces, which have almost unanimously joined in an expression of sympathy for the injured brethren, and of indignation at the outrage committed upon them, than to the Presbyteries of the Presbyterian Church of the Maritime Provinces, and the District Meetings of the Wesleyans, which have been equally cordial, hearty, and vigorous in their utterances.

They would also acknowledge their indebtedness to the conductors of those papers which have not only communicated the facts to the world, but have also contended earnestly, in some instances in the face of misrepresentation and abuse, for the vindication of our common rights, and the maintenance of our common privileges.

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